

Mental Health Matters

The newsletter of the Illinois State Bar Association's Section on Mental Health Law

From the chair and editor

BY SANDY BLAKE

Statistics indicate that between 20 to 25 percent of the population has some form of mental illness. Although the forms of mental illness range from anxiety to schizophrenia, from eating to bipolar disorders, the numbers are staggering. That's one in every four or five people! Do the math. That means that one person in almost every family has some form of mental illness, and all the family members are somehow affected by that illness.

In addition, statistics also indicate that the incidence of mental illness is greater in certain professions, the law being one of them.

Given the odds, mental illness affects every single one of us. How is it, then, that mental health issues still carry such stigma? Why are we not talking more openly about mental illness?

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Mental health review

BY HON. E. KENNETH WRIGHT, JR.

Stress, anxiety, depression, and grief are common problems that can lead to serious health, career, and relationship problems, especially for lawyers.

Lawyers often self-medicate with alcohol and drugs. Recent studies by the American Bar Association and the Hazelden Betty Ford Foundation show that lawyers suffer from alcoholism and addiction at a much higher rate than the general public, and about 20 percent of adults in the United States experience mental illness and distress in a given year.¹ The opioid epidemic and misuse of prescription drugs also have had a heavy impact on lawyers.

What signs should cause a caring

friend, colleague or family member concern?

By recognizing mental health issues, we can begin to understand ourselves and recognize the problems in others so we can assist them.² Here are some ways to deal with some mental health issues.

Keep an Eye on These Symptoms

Anxiety – this is simply worrying. A little anxiety can be beneficial and prompt us to act in a responsible fashion. Too much is a problem. Forms of anxiety include panic attacks (sudden physical symptoms accompanied by shortness of breath, sweating, etc.), phobias (fears of certain situations), and post-traumatic

stress disorder (a response to a life-threatening experience). Generalized anxiety disorders manifest as excessive anxiety and worry about a variety of things. Substance-induced anxiety such as paranoia is caused by medication or drug abuse. When anxiety and worry interfere with everyday life, it is time to get help.

Treatment options include medication, psychotherapy, or both. Without treatment, the disorder will worsen and it is likely that another anxiety disorder will develop and perhaps worsen an existing alcohol dependency or drug use problem.³

Lawyers are proud and ambitious; yet, anxiety can be life-threatening and can

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features two articles focusing on mental health for lawyers. Judge E. Kenneth Wright, Jr. points to some signs and symptoms that should cause concern. Mary F. Petrucci introduces us to Dr. Diana Uchiyama, assistant deputy director

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usually be treated successfully as long as help is offered in time.

Depression – symptoms include a feeling of constant sadness, loss of interest in activities formerly enjoyed, trouble sleeping, low energy, and thoughts about death or suicide. Depression sometimes can be treated by medication to address a chemical imbalance that may precipitate the depression.

Depression also can be treated with therapy. Medications can be custom-made through a new development called pharmacogenomics testing.⁴ If medications do not work, a new type of treatment may be the answer. For instance, “repetitive transcranial magnetic stimulation” is a noninvasive application of magnetic pulses on the surface of the head. Personal therapy is always available and may be modified in steps to adapt to each situation.

Grief—grief produces mental and physical problems. It increases the risk of ailments and use of health care resources. Grief has been known to produce an increased risk of death from a variety of sources including suicide.⁵ Grief can result from events other than death. Loss of a job, divorce, separation, extended illness, and the like can produce episodes of serious grief. Usual coping relies on what we have learned from earlier losses. Grief is often accompanied by denial, anger and guilt.⁶

Several self-help techniques are

of LAP, outlines LAP’s mission and services, and details ways for lawyers to access LAP services.

Let’s keep the conversation going!■

suggested, such as talking to a friend and writing a letter. We must remember, grief usually dissipates over time and is viewed as a form of or temporary depression.⁷

Let’s face it, mental health is as important as physical health. Things usually get worse if ignored and left untreated. We all should be vigilant of those in trouble to help them reclaim their lives. ■

1. Patrick R. Krill, et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 *Journal of Addiction Medicine* (2016) available at https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx.%20d. (last updated 2016).

2. Laura Miller, *Changing the Conversation about Mental Health*, *Chicago Health Magazine* 44 (2018), available at <https://chicagohealthonline.com/magazine/fall-2018/>

3. Ann R. Epstein, *What’s on Your Mind?*, *Harvard Health Guide to Healthy Living* (Sept. 24, 2017), available at <https://bloximages.chicago2.vip.townnews.com/qctimes.com/content/tncms/assets/v3/editorial/ff0/ff05bd12-db66-11e7-985f-070c6d9ceeea/5a29645b01a95.pdf.pdf>.

4. E. Napoletano, *Treating Depression*, *Chicago Health Magazine* 52 (2018), available at <https://chicagohealthonline.com/magazine/fall-2018/winter-2019>

5. <https://www.mayoclinic.org/diseases-conditions/complicated-grief/symptoms-causes/syc-20360374>.

6. Susan D. Block, M.D., *Finding a way through Grief*, *Harvard Health Guide to Healthy Living* (Sept. 24, 2017), available at

<https://bloximages.chicago2.vip.townnews.com/qctimes.com/content/tncms/assets/v3/editorial/ff0/ff05bd12-db66-11e7-985f-070c6d9ceeea/5a29645b01a95.pdf.pdf>.

7. *Id.* at 38.

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Burned out? Overwhelmed? Meet Dr. Diana Uchiyama and the Illinois Lawyers' Assistance Program

BY MARY F. PETRUCHIUS

The Illinois Lawyers' Assistance Program, or LAP, was founded in 1980. It is a not-for-profit organization that offers free, confidential help to Illinois attorneys, law students, judges, and their families whose lives are affected by substance abuse, addiction, and/or mental health issues. In late 2018, LAP opened an office in Geneva. I recently interviewed Dr. Diana Uchiyama, LAP's executive director, about LAP and her role in the Geneva office.

Mary: Diana, before we discuss LAP and what you do, I'd like our readers to get to know you. Where did you grow up? What's your educational history?

Diana: I grew up on the north side of Chicago after my parents immigrated here from Germany with my two older siblings. I attended public grammar school until the eighth grade and graduated from St. Scholastica Academy, an all girls' college preparatory high school in Chicago. I received my undergraduate degree from the University of Illinois in Champaign and my Juris Doctorate from Pepperdine University School of Law. I attended Benedictine University for my MS in Clinical Psychology and Midwestern University for my PsyD in Clinical Psychology.

Mary: Who were your role models growing up? The influences in your personal and professional life?

Diana: I would say my parents and younger brother were the greatest role models in my life. My parents immigrated to the United States with two small children because my parents wanted to provide their children with a better quality of life than they had in Germany. My father was Assyrian from a Catholic family in Iraq, and they were a minority group that was persecuted because of their religion. He moved to England to attend college and met

my mother, who was from Germany, and they eventually got married in Germany. They had two children but neither of my siblings were German citizens, due to my father being a foreigner. My parents decided to move to the United States so that their children would have a national identity and more opportunities than in Germany.

My younger brother and I were born in Chicago and he was born with Down Syndrome. My parents always pushed all of us to become educated, to work hard, to speak up against injustice, and to give back through acts of public service and charity, which has been my biggest motivation in life. And because I have a brother with a disability, I was motivated to provide him with all of the opportunities that I had and to push him to rise above his disabilities, to be an independent human being with a purpose in life.

I think that growing up with parents who were from other countries and who gave so much of their lives to better their own children's lives, made me want to pay it forward in my own career and my own sense of identity. I understand what it means to be poor, to work hard to get ahead, to have a sense of purpose, and to work for the greater good. My parents instilled in me a desire to be motivated not just by money and title, but to better the lives of as many people as you can, regardless of who they are and where they are born.

Mary: Why did you decide to become lawyer?

I think that the circumstances of my childhood, including growing up with parents who were from other countries and often being judged by the fact that my parents had accents, influenced me greatly because I often felt different and like an outsider.

In my family what was really valued was education and hard work, instead of superficial things. Then, having a brother with a significant disability and watching my family fight to get him equal treatment in school and in life, made me passionate about being a voice for the voiceless or for those treated as "less than."

I felt passionate about making sure that people were treated fairly and with a sense of justice and equality, regardless of where they were born. I had a strong desire to pursue a degree in law, specifically in criminal law as an Assistant Public Defender. I wanted to make sure that everyone's rights were honored regardless of education, economic status, or nationality or race.

Mary: Diana, take us down through your career path and where it has led you.

Diana: After graduating from law school, I first practiced in international health care law, due to the fact that I speak fluent German, while I was waiting to find out if the Cook County Public Defender's Office was hiring. I then applied for a position there and happily was hired. I worked as an Assistant Public Defender for about 12 years assigned to various felony courtrooms, mostly at 26th and California.

I then decided to get my master's degree in clinical psychology and, after that, my doctorate. I have blended my work as an attorney and clinical and forensic psychologist. I previously worked at the Kane County Diagnostic Center doing forensic evaluations for the Court and as the Kane County Juvenile Drug Court Coordinator. I have also worked for the Cook County Juvenile Detention Center with adolescents who were charged criminally as adults. I was the Administrator of Psychological Services for DuPage County, working with a court-mandated population

of clients who had substance use, mental health and/or domestic violence and anger management problems. I am now the Assistant Deputy Director of LAP.

Mary: What brought you to LAP?

Diana: There were a number of reasons that I came to LAP. I had several former legal friends and trial partners who were struggling with mental health and/or substance use issues and, when a few of them or their family members began reaching out to me regarding the problems they were facing, I thought initially that it was an isolated problem. After doing a presentation with a member of the ARDC, however, I found out that the substance use and mental health problems in the legal community were pretty common and very complicated.

Additionally, we had quite a few attorneys seeking mental health, domestic violence, and/or substance use assistance when I worked at DuPage County. Sometimes those attorneys had a difficult time in group settings with other group members. They often felt a great sense of shame at needing mental health or substance use services. That made me feel tremendous empathy for them.

And finally, I have personally known attorneys with whom I was acquainted or worked with, who committed suicide. I felt great distress and sadness that this was happening to my legal community. As a result, I felt that all my education and training was well suited to understanding the specific needs of the legal community and appreciating how hard it is to reach out and access services to get the help needed.

I owe a lot of gratitude to people in the legal community who shared their passion, knowledge, and patience with me as I was learning to become a lawyer. I felt this great desire to give back to the legal community in general because that community had been so good to me when I was a practicing attorney.

Mary: What does LAP do?

Diana: LAP is a not-for-profit organization that helps Illinois lawyers, judges, law students, and their families concerned about alcohol or substance use or dependency, mental health issues including depression, anxiety, and suicidal thinking, or stress-related issues such as compassion

fatigue and burnout.

LAP's services include individual and group therapy, assessments, education, peer support, and interventions. Our mission is threefold: To help lawyers, judges, and law students obtain assistance with substance abuse, addiction, and mental health problems; To protect clients from impaired lawyers and judges; To educate the community about addiction and mental health issues.

Everything at LAP is free and confidential and many of the staff are attorneys/clinicians or specialize in substance abuse issues. We have offices in Chicago, Park Ridge, Geneva, and satellite offices throughout the State of Illinois. LAP has a board of directors, an advisory committee, and an associate board comprised of lawyers and judges from all over the state.

Mary: Have you seen the wellness issues faced by attorneys change since you became an attorney in 1989?

Diana: In some ways, yes.

Mary: In what ways have those issues changed?

Diana: Honestly, looking back I think that the problems in the legal profession with substance use and mental health problems were significant even when I practiced law. I believe, however, that I normalized it as a professional hazard. I felt that it was not unusual for members of my profession to drink heavily or to struggle with relationship issues, burnout, and compassion fatigue. I was surrounded by it on the bench, with my colleagues, and at legal functions I attended.

Until I stepped out of the field and entered into a different working arena, I never recognized that the work attorneys do--the tragedies and traumas we see on a daily basis, the win/lose attitude we all encounter, and the high case volumes we endure would cause a wear and tear and erosion of our physical and mental health. It was not until I began hearing stories about disastrous outcomes of people I worked with or knew, or was asked for treatment assistance or help, that I recognized that something was wrong and unhealthy with our profession.

I also knew that I had the educational ability and expertise to go back and help people with whom I strongly identify,

relating to the personal qualities I share with them. Those qualities include perfectionism, competitiveness, being a problem solver, and possessing an inability to ask for help due to shame and fear. I feel very blessed to be able to do this work and help people realize that asking for help is a strength and not a weakness.

Mary: What issues do we as a profession face today that we may not have faced 20 years ago?

Diana: The level of stress and anxiety is dramatically increasing. We cannot turn off our brains. We are having higher levels of mental health issues in general, including depression. This is most likely due to poor sleep habits, the presence of social media, and the inability to separate work from home, due to the accessibility of people via email or text. The suicide rate for attorneys is very high and that means that people are suffering alone and in isolation. We need to do a better job of helping people, collectively and individually, in the legal profession, so that no one feels that suicide is the only option to escape the hopelessness and sadness they may be experiencing.

Mary: Do the younger lawyers take advantage of LAP?

Diana: Younger people in general access LAP services more readily and this may be due to the lower levels of stigma associated with seeking help for mental health and substance use issues in this age group. It is also related to LAP's incredible outreach in the law schools, including staffing every law school in Illinois with monthly office hours using staff or volunteers to identify individuals who may be struggling, and offering them help before they enter the legal field. Forty percent of our clients are now coming from the law student population and over fifty percent of LAP clients are under age 40.

Mary: What issues do younger lawyers have that differ from the issues of more seasoned lawyers?

Diana: Young lawyers have significant financial issues related to educational debt. They are also just starting their careers, transitioning from being students to being adults with full-time work responsibilities, forming permanent relationships, having

children, purchasing houses, and trying to establish themselves in their legal community. They often feel as though they lack the knowledge or expertise, despite their educational training. They face significant stressors that may increase mental health and substance use issues.

Mary: How did the Geneva LAP office come to be?

Diana: The Geneva office came to be due to increased demands for services in the western suburbs, including DuPage and Kane Counties. LAP recognized that the legal community there and in the far west, including Rockford and DeKalb, would not be able to easily access services in the downtown Chicago or Park Ridge areas due to distance. We received increased requests for services and felt we needed to meet the demand for an area that was underserved and needing significant assistance.

Mary: What services does LAP offer?

Diana: We offer assessments, evaluations, and individual therapy in Geneva. I staff that office one or two days a week by appointment. We also provide peer support mentors and refer people to outside agencies as needed, including psychiatrists, therapists, and substance use providers.

Mary: What are your goals for the Geneva LAP office?

Diana: We hope to provide group therapy in the future as the demand increases and the desire for these types of services is requested. We also want to increase the involvement of the judiciary and the training of people in DuPage, Kane, and surrounding areas who want to volunteer with LAP. Individuals will be able to go to those volunteers and ask them questions about what LAP can do for them.

Mary: How do you envision your future?

Diana: I love my job and feel passionate about what I do, so I hope to be a part of LAP for a long time. I hope to increase LAP's ability to assist more people in the legal profession by expanding services statewide, creating more volunteer outreach, involving members of the judiciary and local legal communities with LAP, and increasing financial support for LAP through fundraising and donations.

I want to help people struggling with

mental health and/or substance use issues to recognize LAP as a safe place to seek assistance and access services. We are in the business of aiding legal professionals in need, providing hope for people who are hopeless, and helping people become healthy and optimistic about their work and their futures. I am honored to be serving in this capacity.

Mary: Diana, it has been a pleasure and a privilege to interview you and learn about the great work you and LAP are doing for our legal community. How can our readers contact LAP?

Diana: They can call LAP's main telephone line at: 312.726.6607 or 1.800.LAP.1233. They may also email me directly at duchiyama@illinoislap.org. ■

Mary F. Petruchius serves on ISBA President James McCluskey's Special Committee on Health & Wellness. She is the PAI (Private Attorney Involvement) Plan Coordinator for Prairie State Legal Services' St. Charles Office. Mary came to Prairie State in July, 2018, after 26 years practicing criminal defense, juvenile, and real estate law.