Lawyer Well-Being Summit 2.0

Friday, May 14, 2021
9 AM to 11 AM
Lawyer Well-Being Summit 2.0

- Highlighted Recommendations
- Report of the Hawai‘i State Task Force on Lawyer Well-Being
1. Acknowledge that we have a well-being problem.
2. Demonstrate a commitment to well-being.
3. Destigmatize mental health and substance use disorders.
4. Recognize importance of collegiality, diversity, inclusivity, and an absence of bias in well-being.
5. Take steps to not impose unreasonable workloads and deadlines.
6. De-emphasize alcohol at social events.
7. Address suicide prevention.
8. Form an HSBA Well-Being Committee.
1. We must acknowledge that we have a well-being problem; our percentages of those with substance use disorders, depression, and anxiety, are much higher than the general populations, and these problems are worst for younger lawyers.

2. Leaders must demonstrate a personal commitment to well-being and destigmatize mental health and substance use disorders and facilitate treatment.

3. Collegiality, diversity, inclusivity, and an absence of bias and harassment must be recognized as important issues affecting well-being.

4. Employers, other lawyers, and judges should take steps to not impose unreasonable work-loads and deadlines.

5. We should take additional steps to avoid crises as senior lawyers transition out of the practice.

6. We need to de-emphasize alcohol at social events.

7. We needs address suicide prevention.

8. The HSBA should form a Well-Being Committee to follow-up on recommendations.
Judges –
Judge Wendy DeWeese

The Judges’ Subcommittee has identified that we need to:

1. Identify and use existing avenues such as Bench-Bar meetings, Judicial Conferences and CLE events to consistently communicate the importance of wellbeing

2. Adopt Model Rule of Judicial Conduct 2.14 to clearly convey that wellbeing is integral to judicial competence, diligence and impartiality

3. Explore new ways to regularly educate all judges and staff regarding the meaning and significance of wellbeing

4. Practice what we preach and lead by example
- Publish data on low rate of denied admission due to mental health or substance abuse disorder.
- Adopt conditional admission requirements for bar applicants who successfully underwent rehabilitation for substance use or mental health disorder but whose recovery remains pending.
- Expand CLE to include “prevention, detection, and/or treatment of mental health disorders and other lawyer well-being programs.”
- Add Comment 7 to HRPC R. 1.1 – connecting lawyer competence to lawyer well-being.
- Promote AAP and other mental health resources.
- Enhance reputation of ODC as partners in lawyer well-being.

Regulators - Chloe Fasi
Increased flexibility in working conditions – hours, place, methods. Limit work hours.

Allow open and confidential communications with legal organizations.

Encourage employees to be mindful of their co-workers.

Re-examine billable hours goals and consider alternative measures of successful performance.

With HSBA, establish well-being forums for small firms and allow social interactions in non-law settings.

Include life and job satisfaction as a regular topic at firm or legal organization meetings.
Law School - Calvin Pang

- Train faculty on student mental health and substance use disorders.
- Assess law school practices for unduly unhealthy effects.
- Empower students to help peers.
- Increase well-being education: stand-alone course, part of PR, regular presentations.
- On-site professional counselor.
- Discourage alcohol-centered events.
Bar Association - Summer Kaiawe

1. Launch a Well-Being Committee.
2. Work with AAP to promote well-being education.
3. Allow well-being topics for CLE credits.
5. Sponsor empirical research on lawyer well-being in annual member surveys.
6. Model well-being behavior and support members' well-being at bar association events.
Lawyer Professional Liability (LPL) Carriers - Deborah Bjes

LPL carriers have a business interest in lawyer well-being.

LPL carriers can help with lawyer education.

LPL carriers can partner with bar groups on wellness through sponsorship activities.

LPL carrier may incentivize healthy behavior through premium discounts, for example.

LPL carriers may be unable to provide data to show the relation between lack of lawyer well-being and malpractice claims.
Emphasize confidentiality under RSCH Rule 16.6.

Availability of 24-hour services by trained staff.

Making referrals, wellness checks, and interventions.