



ANNUAL REPORT 2021

**MASSACHUSETTS
SUPREME JUDICIAL COURT
STANDING COMMITTEE ON
LAWYER WELL-BEING**



INTRODUCTION

Established in January of 2020, the Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-Being is charged with planning and overseeing efforts to enhance the well-being of lawyers, judges, and law students in the Commonwealth. Its goals include implementing the recommendations in the final Report of the original SJC Steering Committee on Lawyer Well-Being ("Report"), which was submitted to the SJC in July 2019. During 2021, the Standing Committee had sixteen members and two co-chairs, all appointed by the SJC, and a group of Advisors, also appointed by the SJC. (See [Appendix](#) for a full list of Committee members, Advisors, and staff.)

In its first year (calendar year 2020), the Standing Committee adapted its work to respond swiftly to the onset of the COVID-19 pandemic and the renewed cry for racial justice after the murders of George Floyd and Ahmaud Arbery, and the killings of Breonna Taylor and others. The Standing Committee's Report on the first year is available at <https://bit.ly/lwb-first-year-report>. In its second year (calendar year 2021), the Standing Committee, building upon its first-year work, established statewide programs based upon the success of first-year pilots, extended awareness of well-being in the legal profession and helped to expand the reach of support services such as Lawyers Concerned for Lawyers Massachusetts, expanded the scope of efforts to support specifically the well-being of lawyers, law students and judges from underrepresented and historically excluded populations, and added various new programs, projects, and initiatives. To date, the Standing Committee has either implemented or is currently working on implementing nearly 80% of the recommendations from the 2019 Report, with some of the remaining recommendations requiring multi-year, complex undertakings.

If you have any questions about the work of the Standing Committee or how to get involved in its efforts, contact Committee Director Heidi Alexander at Heidi@lawyerwellbeingma.org.



**IN MEMORIAM:
RUTH H. SILMAN**

IN JUNE 2021, STANDING COMMITTEE MEMBER RUTH SILMAN PASSED AWAY. RUTH WAS THE FIRST FEMALE OFFICE MANAGING PARTNER OF NIXON PEABODY'S BOSTON OFFICE, AND A DEDICATED ADVOCATE FOR, AMONG OTHER THINGS, ATTORNEY WELL-BEING, DIVERSITY IN THE LEGAL PROFESSION, AND AFFORDABLE HOUSING.

AS A MEMBER OF THE STANDING COMMITTEE, RUTH WAS PASSIONATELY ENGAGED IN THE COMMITTEE'S EFFORTS TO ADDRESS CERTAIN ASPECTS OF LARGE FIRM CULTURE THAT AFFECT WELL-BEING. RUTH ALWAYS PROVIDED IMPORTANT INSIGHT, IDEAS, AND POSITIVITY TO THE STANDING COMMITTEE. SHE WILL BE MISSED BY SO MANY, BUT HER WORK LIVES ON!

PROGRAMS, PROJECTS & INITIATIVES

*ARRANGED IN ALPHABETICAL ORDER

In 2021, the Standing Committee focused its efforts on the following major programs, projects, and initiatives, some of which build upon those launched in 2020 and some of which are new endeavors.

<u>Bar Association Outreach</u>	PAGE 4
<u>Financial Well-Being</u>	PAGE 5
<u>Law Student Well-Being</u>	PAGE 6
<u>Legal Well-Being Network</u>	PAGE 7
<u>Management Training</u>	PAGE 7
<u>Mentorship Programs and Resources</u>	PAGE 8
<u>Recommendations for Legal Workplaces Post-Pandemic</u>	PAGE 8
<u>Well-Being of Lawyers from Underrepresented and Historically Excluded Populations</u>	PAGE 9
<u>Well-Being Needs Assessment</u>	PAGE 14
<u>Additional Outreach and Awareness</u>	PAGE 14

BAR ASSOCIATION OUTREACH

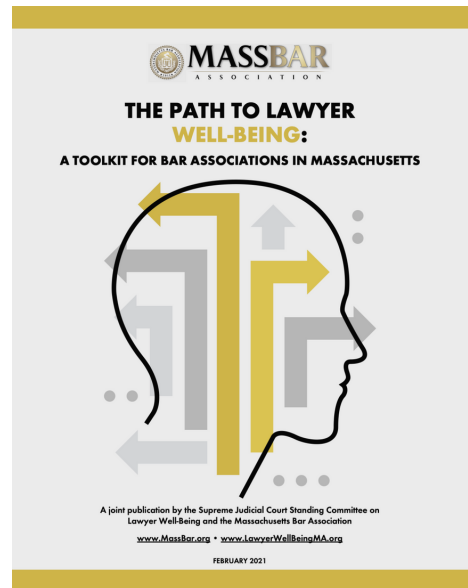
Bar Associations play an important role in helping lawyers thrive in the profession. In 2021, the Standing Committee worked to support the well-being efforts of bar associations through a number of initiatives.

Bar Leader Meetings

The Standing Committee continued holding quarterly meetings to engage with leaders from bar associations across the Commonwealth, including area-specific, practice-specific, and identity-based associations. To date, the Standing Committee has held a total of six such meetings.

Bar Association Toolkit

To further support bar associations through tangible and practical action, the Standing Committee worked with the Massachusetts Bar Association Well-Being Committee to publish *The Path to Lawyer Well-Being: A Toolkit for Bar Associations in Massachusetts* in February 2021 (available at: <https://lawyerwellbeingma.org/bar-association-wellbeing-toolkit-online>). This Toolkit addresses the importance of well-being in law, how we can work together to improve well-being, the role of DEI in lawyer well-being, and provides specific resources for bar associations on this topic, including a well-being checklist, sample education programs and ideas, bench-bar discussion best practices, and resources for individuals and employers. Following the dissemination of the toolkit to bar associations, the Standing Committee Director and a Co-Chair of the Massachusetts Bar Association Well-Being Committee have attended meetings of numerous bar association executive committees to discuss well-being program planning and initiatives, and opportunities for support.



FINANCIAL WELL-BEING

Financial Education and Coaching

In 2020, the Standing Committee partnered with AccessLex Institute, a nonprofit committed to empowering law students and new lawyers become through financial education, to offer a pilot financial education and coaching program. Based on this pilot, AccessLex developed a full service resource for recent law graduates and new lawyers, which the Standing Committee made available to all lawyers in Massachusetts in 2021. The Standing Committee continues to partner with AccessLex to provide additional tailored programs for Massachusetts attorneys, including a program in 2021 on timely changes to the Federal Public Service Loan Forgiveness program. Those resources are available at <https://lawyerwellbeingma.org/financial-education-and-student-loan-repayment-resources>.

Insurance Coverage

Obtaining health and disability insurance coverage continues to be a major financial and well-being obstacle for solo practitioners and small firms. The Standing Committee offered a program entitled Health Insurance & Disability Coverage for Small Law Firms in December of 2021 (see: <https://lawyerwellbeingma.org/news/health-insurance-amp-disability-coverage-options-for-small-law-firms>), and the Committee has plans to provide additional programming on these topics in 2022 and beyond. In addition, the Standing Committee continued its efforts to investigate options to reduce the cost of health and disability insurance for small firms through group coverage.

LAW STUDENT WELL-BEING

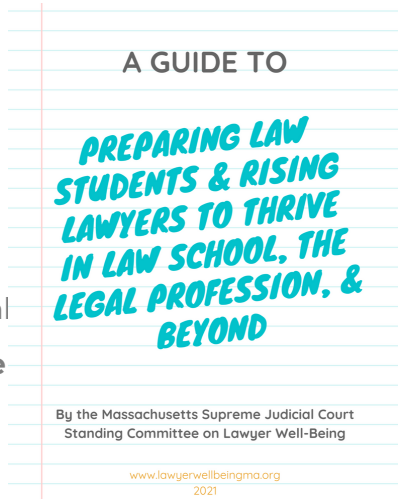
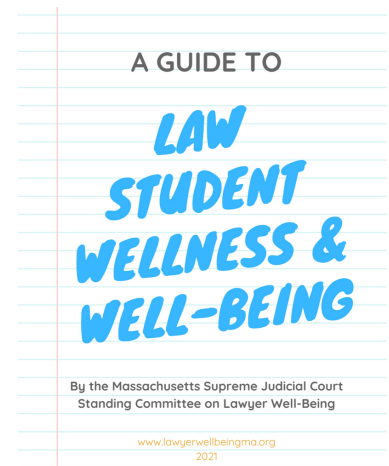
The Standing Committee's Legal Education Subcommittee, whose members represent each of the nine Massachusetts law schools and include staff, faculty, and administrators as well as law students, works with the Standing Committee to improve well-being for law students and to help prepare law students to thrive in the profession.

Law School Well-Being Guides

In 2021, these efforts culminated in the publication of two law school well-being guides, *A Guide to Law Student Wellness & Well-Being* and *A Guide to Preparing Law Students & Rising Lawyers to Thrive in Law School, the Legal Profession, & Beyond* (available at <https://lawyerwellbeingma.org/law-student-wellbeing>). In addition, the Subcommittee prepared a downloadable Pocket Resource Template with the goal of helping each law school develop a 1-2 page resource sheet for use by that school's faculty, staff, and administrators that lists and describes important well-being resources. These materials have been distributed to every Massachusetts law school.

Law Student Town Halls

Further, in an effort to learn more about the specific challenges and lived experiences of present day Massachusetts law students, in 2021 the Standing Committee began conducting Law Student Town Halls and these will continue into the early part of 2022, and include specific town halls focused on law students who have experienced well-being challenges related to their membership in underrepresented populations. The purpose of the Town Halls is to ensure that the individual and collective well-being challenges faced by students are reflected in the Standing Committee's ongoing work to improve the lives of legal professionals throughout the Commonwealth.



LEGAL WELL-BEING NETWORK

In 2020, the Standing Committee established the Massachusetts Legal Well-Being Network, which draws HR directors and personnel, lawyers, legal educators and others from private firms, public agencies, law schools, and beyond to share best practices, ideas, challenges and visions to improve lawyer well-being. Meetings of the Network continue to convene on a quarterly basis; there have been a total of eight meetings to date. Each meeting includes updates from the Standing Committee, at least one speaker to discuss well-being-related work and efforts at a series of different legal workplaces, discussion, and networking. Presenters in 2021 included attorneys from small, mid-size and large firms, a spokesperson from the national Institute for Well-Being in Law, a law professor on the “Business Case” for well-being in law, the founder of the Lawyers Depression Project, the Chief Talent Officer at a large firm discussing the firm’s new 40 hour unplugged policy, a clinician from Lawyers Concerned for Lawyers, an educator from Samaritans, Inc, and more. All meetings are recorded and available at <https://lawyerwellbeingma.org/legal-wellbeing-network>.

MANAGEMENT TRAINING

As acknowledged in the 2019 Steering Committee Report, the need for lawyer management and supervisor training is widespread, and the absence of such training is a significant contributor to negative well-being in the Massachusetts bar. In 2021, the Standing Committee began to interview and investigate management and supervisor training programs with an initial focus on a pilot program for legal services lawyers. The Standing Committee plans to continue to interview and investigate additional providers and programs with the goal of piloting a tailored program for Greater Boston Legal Services in 2022.

MENTORSHIP PROGRAMS AND RESOURCES

In 2020, the Standing Committee established a Mentorship Working Group that piloted a variety of mentorship programs across the Commonwealth, including new pilots administered by the Standing Committee and other existing programs administered by bar associations and other entities. Upon evaluation of these pilot programs, the Working Group recommended that the Standing Committee launch a statewide, online mentoring program for new members of the bar, and also compile a repository of mentorship programs and opportunities available to attorneys across the state. The Committee launched its Statewide Mentorship Program Database in 2021 (available at: <https://lawyerwellbeingma.org/mentorship-database>), and its first Statewide New Lawyer Mentorship Program also began in 2021 (see: <https://lawyerwellbeingma.org/new-lawyer-mentorship-program>). Forty-eight mentors and ninety mentees from across the Commonwealth participated in the inaugural mentorship program. The program will continue into 2022.

RECOMMENDATIONS FOR LEGAL WORKPLACES POST-PANDEMIC

The pandemic made clear that flexibility in legal workplaces is possible and in fact permits lawyers across many demographics to succeed and thrive. In a statement from the Standing Committee in June 2021 entitled Recommendations for Legal Workplaces Post Pandemic (available at: <https://lawyerwellbeingma.org/statement-on-postpandemic-workplaces>), the Standing Committee emphasized this moment as an opportunity to make positive changes in the legal workplace that will truly support the well-being of lawyers, including those with additional family care burdens and those from underrepresented and historically excluded populations. The recommendations stress acceptance of flexibility as the standard and continued investment in technologies, policies, and skills training in order to make such flexibility successful, and emphasize that decision-making within legal organizations, including decisions about post-pandemic workplace formats and structures, must include voices from diverse identities, backgrounds, experiences, and interests.

WELL-BEING OF LAWYERS FROM UNDERREPRESENTED AND HISTORICALLY EXCLUDED POPULATIONS

As expressed in the Standing Committee's DEI Statement (available at: <https://lawyerwellbeingma.org/dei-statement>), one of the fundamental goals of the Standing Committee is to "effect real, meaningful change in the profession to not only ensure that systemically oppressed legal professionals in Massachusetts receive equal treatment, but that they receive the support they need to achieve equitable access to and success in the profession, and that the barriers, challenges and insults they face every day are reduced, mitigated and, ultimately, eliminated." In an effort to begin identifying the concrete challenges to professional well-being faced by Massachusetts lawyers, judges, and law students from underrepresented, historically excluded, and systemically oppressed populations, in June 2020, the Standing Committee began hosting a series of individual town hall meetings with various Massachusetts affinity bar associations. The goal of these sessions was for the Standing Committee to hear from these legal professionals about their own lived experiences, to hear their stories.

Over the course of six months, the Standing Committee hosted seven of these meetings, and over 115 lawyers, judges, and law students attended and shared their stories and experiences. In February of 2021, the Standing Committee released its Report Summarizing Affinity Bar Town Hall Meetings (available at: <https://lawyerwellbeingma.org/s/Affinity-Bar-Town-Hall-Report-2021.pdf>).

Since the release of this Town Hall Report, the Standing Committee has hosted and/or participated in various meetings, presentations and trainings addressing the Report's contents and next steps to improve the well-being of lawyers, law students, and judges from underrepresented groups within the bar.

DEI PROGRAMMING HIGHLIGHTS

Upstander Advocacy in the Legal Profession

The Standing Committee and the Boston Bar Association organized this program, which was co-sponsored by the Massachusetts Bar Association and 9 affinity bar associations and drew over 400 registrants, to address how bias and micro/macroaggressions impact legal profession and the clients our lawyers serve.

The Impact of Microaggressions on Well-Being

The Standing Committee organized this program specifically for public agency and private bar counsel attorneys to address how unconscious bias and microaggressions impact the well-being of clients, colleagues and opposing counsel, and to provide tools to interrupt bias and recover after committing a microaggression.

AAPI Safe Spaces Meeting

The Standing Committee and the Asian American Lawyers Association of Massachusetts organized this program where lawyers, law students, and judges from Asian, Asian American and Pacific Islander (AAPI) communities could come together to support each other following the rise in racially-motivated attacks against AAPI individuals.

Town Hall for Attorneys and Law Students who Identify as Having a Disability

The Standing Committee organized this meeting, like those which resulted in the Affinity Bar Town Hall Report, for members of the disability community within the Massachusetts bar to share their lived experiences and requests for support and change to improve their well-being within the profession.

Amplifying Unheard Voices Series

The Boston Bar Association organized this series of programs, which was co-hosted by the Standing Committee and other organizations, to highlight and amplify the perspectives of attorneys, clients and communities from underrepresented populations who engage with the legal system regularly, and to move toward more equitable representation of and opportunities for these communities.

WORK IN FURTHERANCE OF THE STANDING COMMITTEE'S DEI STATEMENT

Working Groups

The Standing Committee organized four working groups in 2021 to develop concrete structural recommendations to improve the well-being of attorneys from underrepresented populations within (a) public agencies and legal services organizations, (b) in-house legal departments, (c) small and medium sized law firms, and (d) large law firms. These working groups include over fifty attorneys in total and will continue working in 2022 to develop specific ideas that each type of legal organization could consider implementing to address the issues raised by the 2021 Town Hall Report.

DEI LENS

In accordance with the Standing Committee's DEI Statement, the Committee took steps to ensure that all programs, initiatives and work product were reviewed from a DEI perspective, including by Committee Fellow Gavin Alexander who focuses his efforts on DEI and well-being, and by obtaining additional perspectives from underrepresented and historically excluded communities to ensure their voices are included in all the Committee's work.

DEI Resources, Research, Data, and News

- The Standing Committee drafted and published a list of resources relating to DEI in the legal profession in both Massachusetts and at the national level (available at: <https://lawyerwellbeingma.org/dei-resources>).
- The Standing Committee drafted, published, and continued to update a list of research, data, and news articles addressing lawyer well-being, and specifically including resources addressing the well-being of lawyers from underrepresented and historically excluded populations (available at: <https://lawyerwellbeingma.org/research-reports-news>).

**COLLABORATION AND ENGAGEMENT WITH BAR
ASSOCIATIONS, TRIAL COURT OFFICES, LAWYERS CONCERNED
FOR LAWYERS, AND OTHER ORGANIZATIONS**

- The Standing Committee continued to engage with affinity bar organizations and other Massachusetts legal DEI groups/leaders to help amplify their voices and support the well-being of their communities.
- The Standing Committee collaborated with the Trial Court Office of Diversity, Equity, Inclusion & Experience in developing various training programs for judges, court employees, and members of the Massachusetts bar, and in further refining the information presented in the Trial Court’s Annual Diversity Report.
- The Standing Committee collaborated with the Trial Court Office of Workplace Rights & Compliance to promote awareness among Massachusetts lawyers of the Trial Court’s process for reporting incidents of bias, discrimination or harassment that have been either experienced or witnessed in the courts.
- The Standing Committee drafted a guest article for Lawyers Concerned for Lawyers Massachusetts about BIPOC Mental Health Month (available at: <https://www.lclma.org/2021/07/29/bipoc-mental-health-month-2021-reflections-in-the-legal-profession/>).
- The Standing Committee continued to support the Massachusetts Attorney Demographic and Law Practice Survey, that all BBO-registered lawyers are required to complete annually pursuant to SJC Rule 4:02, and engaging a research institution to help analyze and report on the collected data. More information about the Survey is available at <https://lawyerwellbeingma.org/demographics-and-law-practice-survey>.

MASSACHUSETTS BAR ASSOCIATION 2021 ACCESS TO JUSTICE RACE EQUITY, AND INCLUSION AWARD

As a result of its work, the Committee received the MBA's Access to Justice Race, Equity and Inclusion Award in 2021. The Committee acknowledges that this award would not have been possible without the courageous voices and work of the BIPOC and LGBTQA+ members of the bar.



WELL-BEING NEEDS ASSESSMENT

To better understand the well-being needs of Massachusetts lawyers, the Standing Committee assisted Lawyers Concerned for Lawyers Massachusetts in the development of a survey to be conducted by an independent third party research organization in 2022. The survey examines factors contributing to lawyer well-being (e.g., work-life balance, anxiety, depression, substance use) across multiple demographics, access to mental health and substance use care among lawyers, and programs and policies designed to improve lawyers' well-being. This need assessment is expected to be circulated to all Massachusetts-registered lawyers in January 2022, and the results will ultimately be analyzed and published by the independent and third-party research organization.

ADDITIONAL OUTREACH AND AWARENESS

The Standing Committee continues to prioritize increasing awareness of well-being research, resources, training, and support, and to reducing stigma around mental health, well-being, and utilization of resources and support. Here are some additional resources on these topics:

- Website: www.lawyerwellbeingma.org
- Monthly eNewsletter: Archived at <https://lawyerwellbeingma.org/news>
- Social Media: Instagram @lawyerwellbeing
- Speaking Engagements: Numerous speaking engagements across sectors and in partnership with Lawyers Concerned for Lawyers and other entities
- Information to New Admittees: Dissemination of a welcome letter to all new admittees with information and resources on well-being in the profession.
- Updates on Well-Being News and Research: Available at <https://lawyerwellbeingma.org/research-reports-news>
- Collaboration with the Institute for Well-Being in Law: Regular State Task Force Meetings, Policy Committee, and DEI Committee

STRATEGIC PRIORITIES 2022

The SJC Standing Committee on Lawyer Well-Being is committed to the following strategic priorities for 2022.

Central Priorities:

To increase awareness of well-being research, resources, training, and support
To reduce stigma around mental health, well-being, and utilization of resources and support

Supporting Priorities:

To provide education and resources to address burnout	To support attorneys experiencing financial hardship	To improve diversity, equity, and inclusion in the profession
To engage leaders and support the development of managers	To promote civility among lawyers	To develop an effective service delivery structure and collaboration with supporting entities

www.lawyerwellbeingma.org

APPENDIX

STANDING COMMITTEE MEMBERSHIP

During 2021, the Standing Committee had sixteen members and two co-chairs, all appointed by the SJC, and a group of Advisors, also appointed by the SJC. The sixteen members include lawyers who bring diverse perspectives to the work in terms of geography, type of legal practice, racial and ethnic identify, gender identity, sexual orientation, and also include one physician with experience in physician well-being work and services. The Standing Committee also has an appointed group of Advisors whose members include the Executive Director of Lawyers Concerned for Lawyers, Chief Bar Counsel, General Counsel of the Board of Bar Overseers, and the Executive Director of the Board of Bar Examiners. Justice David A. Lowy is the Standing Committee's liaison to the SJC Justices. The Committee's work is supported by Attorney Heidi Alexander, the Committee's Director, and Attorney Gavin Alexander, the Committee's Fellow.

Advisors to the Standing Committee

Joseph Berman, Esq. (Board of Bar Overseers)

Stacey Best, Esq. (Lawyers Concerned for Lawyers Massachusetts)

Rodney Dowell, Esq. (Office of Bar Counsel)

Marilyn J. Wellington, Esq. (Board of Bar Examiners)

STANDING COMMITTEE MEMBERS 2021

Honorable Margot Botsford (Ret.) (Co-Chair)

Denise I. Murphy, Esq. (Co-Chair) (Rubin & Rudman LLP)

Ruth L. Adeyinka, Esq. (Law Office of Ruth L. Adeyinka-Deras)

Darian Butcher, Esq. (Butcher Law LLC)

Honorable Jennifer L. Ginsburg (Worcester District Court)

Jane Goldstein, Esq. (Ropes & Gray LLP)

Katherine Grubbs, Esq. (Committee for Public Counsel Services)

Stephen P. Hall, Esq. (Orrick Herrington & Sutcliffe)

Bethany Li, Esq. (Greater Boston Legal Services)

Marc A. Moccia, Esq. (Kazarosian Costello LLP)

Beth R. Myers, Esq. (Burns & Levinson LLP)

Dean Angela Onwuachi-Willig (Boston University Law School)

Mala M. Rafik, Esq. (Rosenfeld & Rafik PC)

District Attorney Marian Ryan (Middlesex County)

Dr. Leslie Schwab, M.D. (Harvard Vanguard Medical Associates)

Ruth H. Silman, Esq. (Nixon Peabody)

Mary Strother, Esq. (Office of the Attorney General)

Christina M. Turgeon, Esq. (Law Office of Christina M. Turgeon)