

2022 Annual Report

MASSACHUSETTS
SUPREME JUDICIAL COURT
STANDING COMMITTEE ON
LAWYER WELL - BEING

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INTRODUCTION

In 2022, as we continued to learn how to live in a pandemic, a focus on well-being in the workplace became ubiquitous among various industries. The U.S. Surgeon General, Dr. Vivek Murthy, published a detailed Framework for Workplace Mental Health & Well-Being and in his remarks stated:



“A healthy workforce is the foundation for thriving organizations and healthier communities. . . . [O]rganizations [must] rethink how they protect workers from harm, foster a sense of connection among workers, show workers that they matter, make space for their lives outside of work, and support their growth. It will be worth it, because the benefits will accrue for workers and organizations alike.”

The Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-Being (Standing Committee), established in January of 2020, is charged with leading efforts to cultivate a “healthy workforce” within the legal profession. Its goals include implementing the recommendations in the final report of the original 2019 SJC Steering Committee on Lawyer Well-Being, which was submitted to the SJC in July 2019.

All Steering and Standing Committee reports, including its 2020 and 2021 Annual Reports are available at <https://lawyerwellbeingma.org/reports>.

INTRODUCTION

In this third year (calendar year 2022), the Standing Committee has become a sought-out resource, leader, and partner in efforts to make changes to the legal profession that will impact the well-being of those who work in it. Priorities included increasing awareness and reducing stigma to ensure that those who need help get help; developing targeted resources such as access to health insurance for small firms through a partnership with the Massachusetts Health Connector; taking action steps to address concerns raised in the Report Summarizing Affinity Bar Town Hall Meetings (Affinity Bar Town Hall Report) that documented the lived experiences, barriers, and challenges of attorneys and law students from underrepresented, historically excluded, and systemically oppressed populations; emphasizing the importance of judicial well-being and resources available; expanding mentorship opportunities; designing and implementing pilot management and supervisor training programs; working to support law school efforts to incorporate well-being as a core competency; and many other programs, projects, and initiatives.

Our work would not be possible without the many partnerships and collaborations with stakeholders in the profession, including Lawyers Concerned for Lawyers, the Board of Bar Overseers and the Office of Bar Counsel, the Board of Bar Examiners, the many bar associations across the Commonwealth, the Committee for Public Counsel Services, legal services organizations, district attorneys' offices, big firms, mid-size and small firms, law schools, and more.

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

The Standing Committee

Committee Leadership

Our two inaugural co-chairs, Hon. Margot Botsford, retired Justice of the Massachusetts Supreme Judicial Court, and Denise Murphy, Partner at Rubin & Rudman LLP, transitioned leadership to Mary Strother, General Counsel at Northeastern University, and Mala Rafik, Partner at Rosenfeld & Rafik, P.C. The leadership of Justice Botsford and Attorney Murphy increased awareness of challenges in the profession and paved the way for opportunities to improve the profession in many ways. Both have been reappointed as members of the Standing Committee.

Gavin Alexander, currently the first Wellness Director at Jackson Lewis, P.C., completed his fellowship with the Committee and was reappointed as a member of the Committee. During Gavin's fellowship, he provided tremendous insight and support to further the Standing Committee's work, including leading projects related to the well-being of underrepresented and marginalized attorneys. We appreciate Gavin's ongoing commitment to improving well-being in the profession and look forward to his continued contributions.

The Standing Committee's work is supported by Heidi Alexander, the Standing Committee's Director; Justice David Lowy is the Standing Committee's liaison to the SJC Justices.

Farewell to Four Inaugural Committee Members

Four inaugural Standing Committee members wrapped up their terms at the end of 2022: Stephen Hall, Partner at Orrick Herrington & Sutcliffe, LLP; Katherine Grubbs, Attorney in Charge for the Pittsfield Trial Office – Public Defender Division at the Committee for Public Counsel Services; Dean Angela Onwuachi-Willig, Dean of Boston University School of Law; and Middlesex District Attorney Marian Ryan. Each made significant contributions to move forward recommendations in the 2019 Steering Committee Report and each continues to serve as an ambassador for well-being in the legal community.

The Standing Committee

Welcome to New Members and Advisors

We welcome four new Committee members who begin their terms in 2023. Those members include Mark Burak, Shareholder at Ogletree, Deakins, Nash, Smoak & Stewart, P.C.; Jennifer Coliflores, Staff Attorney at the Committee for Public Counsel Services; Shailini George, Professor of Legal Writing at Suffolk University School of Law; and Margaret R.S. Krippendorf, First Assistant District Attorney at the Norfolk District Attorney's Office. We look forward to working with each new member and benefiting from the perspectives, experiences, and expertise they bring to the Standing Committee.

The Committee also welcomed new advisors, including Stacey Best, Executive Director of Lawyers Concerned for Lawyers Massachusetts; and Kandace Kukas, Executive Director of the Massachusetts Board of Bar Examiners. Additional advisors include Joseph Berman, General Counsel of the Board of Bar Overseers, and Rodney Dowell, Chief Bar Counsel at the Office of Bar Counsel.

The Standing Committee Members

As of publication, the Committee's members include: Gavin Alexander (Jackson Lewis P.C.); Hon. Margot Botsford (ret.); Mark Burak (Ogletree, Deakins, Nash, Smoak & Stewart, P.C.); Darian Butcher (Butcher Law LLC); Jennifer Coliflores (Committee for Public Counsel Services); Ruth Deras (Housing Families, Inc.); Shailini George (Suffolk University School of Law); Hon. Jennifer Ginsburg; Jane Goldstein (Ropes & Gray LLP); Peggie Krippendorf (Norfolk County District Attorney's Office); Bethany Li (Asian American Legal Defense and Education Fund); Marc Moccia (Kazarosian Costello LLP); Denise Murphy (Rubin & Rudman LLP); Beth Myers (Burns & Levinson LLP); Dr. Leslie Schwab (Harvard Vanguard Medical Associates); and Christina Turgeon (Law Office of Christina M. Turgeon).

Highlights from 2022

Actions as a Result of the Affinity Bar Town Hall Report and DEI Working Groups

As part of the Committee's commitment to address the challenges faced by lawyers from underrepresented, historically excluded, and systemically oppressed populations, we met with over 115 attorneys, judges, and law students from seven Massachusetts affinity bar associations and collected their experiences of issues affecting their well-being. These experiences were shared publicly in 2021 in the Report Summarizing Affinity Bar Town Hall Meetings. As a result of that Report and requests from individuals, leaders, and organizations for guidance on how to address the harmful experiences highlighted in the Affinity Bar Town Hall Report, the Committee gathered lawyers from around the Commonwealth to form working groups to develop a robust set of ideas to advance diversity, equity, and inclusion. These lists are currently under review with an expected release this calendar year. The lists will provide ideas for Small and Medium-Sized Law Firms; Large Law Firms; Private In-House Legal Departments; and Public Agency and Non-Profit Legal Services Organizations.



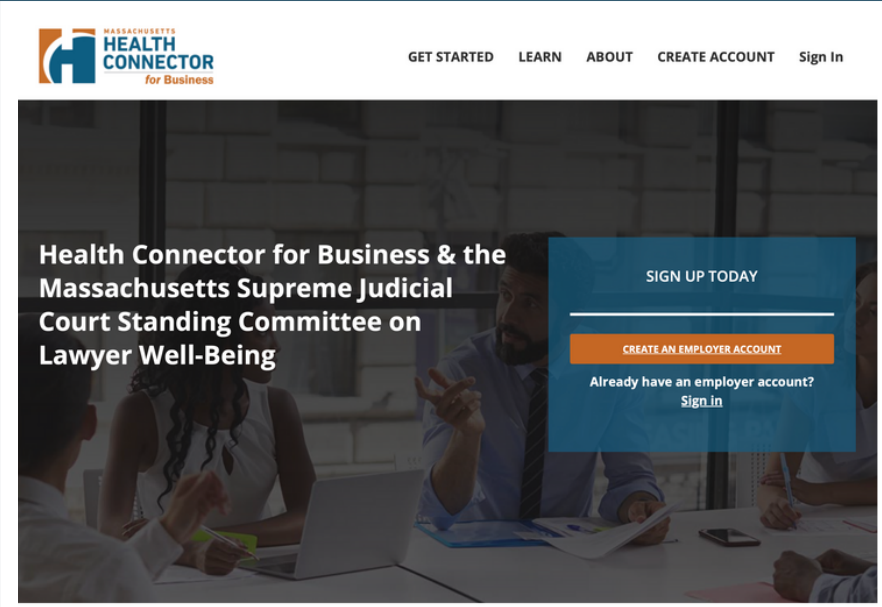
Highlights from 2022

Health Insurance

As identified in the 2019 Steering Committee Report, financial pressure is a major issue affecting lawyer well-being, particularly among solo and small firms, the organizational structure in which the majority of practicing attorneys in the Commonwealth practice law. After providing a free information program with health insurance experts in Massachusetts and hearing continued concerns from solo and small firm owners, the Standing Committee identified an opportunity to partner with the Massachusetts Health Connector for Business to help alleviate pressures by offering a customized resource to simplify and customize access to health and dental insurance, including potential rebates and credits. Previously, any solo and small firm could access the Massachusetts Health Connector.

Now, with a dedicated site for lawyers in Massachusetts, when firms call the Connector, they are directed to the appropriate unit to receive assistance and received tailored information.

The Standing Committee continues to spread information about this program through multiple informational programs across the Commonwealth. More information is available at <https://lawyerwellbeingma.org/health-insurance>.



Health Connector for Business & the Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-Being

WELCOME ATTORNEYS IN MASSACHUSETTS

In 2019, the Massachusetts Supreme Judicial Court Steering Committee on Lawyer Well-Being, in its Report, identified the major issues affecting lawyer well-being. One of those issues is financial pressures felt among small firms, of whom constitute the majority of practicing attorneys in the Commonwealth. The SJC Standing Committee on Lawyer Well-Being is pleased to partner with the Health Connector for Business to help alleviate pressures on small firms by offering a resource to simplify and customize access to health and dental insurance, including potential rebates and credits.

HAVE QUESTIONS?

Contact your broker or call Customer Service at 1-888-813-9220 (TTY: 711), **press option 5**

Highlights from 2022

Judicial Well-Being

The Judicial Well-Being Subcommittee, composed of judges from the Appeals Court, Superior Court, District Court, Housing Court, Juvenile Court, Land Court, Probate and Family Court, Boston Municipal Court, and a retired member of the Supreme Judicial Court, meet regularly to address specific recommendations in the 2019 Steering Committee Report to support judges. This past calendar year, the Judicial Subcommittee collected insights from judges from each of Massachusetts' courts for addressing judicial wellness. Based on the information received, the Subcommittee identified several common judicial stresses and recommended practical steps forward, including encouraging communication and peer support; helping to increase judges' knowledge about existing critical resources available to those who need them (such as Lawyers Concerned for Lawyers); and encouraging judges and lawyers to take a long view of the interrelationship between their professional and personal lives. At the Subcommittee's request, all seven Trial Court Chief Justices disseminated the 2022 National Center for State Courts Judicial Wellness Booklet, and encouraged their judges to consider the wellness strategies recommended within.

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. The Subcommittee updated for 2022 and disseminated the Law School Well-Being Guides - one for students and one for faculty, staff, and administrators - first produced by this Subcommittee in 2021. The Subcommittee also conducted Town Halls with law students across the Commonwealth to better understand their needs. As a result, the Subcommittee produced a report which was disseminated to the law schools. The Standing Committee Director and Standing Committee members, in collaboration with the Legal Education Subcommittee, the Massachusetts Bar Association Well-Being Committee, and Lawyers Concerned for Lawyers made numerous presentations to law school classes, including specifically to first-year students during orientation, and to law school faculty and staff.

Highlights from 2022

Lawyer Census

The 2019 SJC Steering Committee Report stressed a “strong and on-going commitment to enhancing diversity, equity and inclusion in all our practices” as being “crucial to our individual and collective well-being,” and further noted that, without demographic data about the makeup on the Massachusetts bar, we cannot begin to address “concerns about a lack of diversity in the Commonwealth’s legal community, or to create programs to better address the needs related to equitable participation in the legal community without this foundational information.”

The Steering Committee Report recommended that a system to collect demographic data on an ongoing basis be integrated into the annual registration process. To accomplish this goal, in 2020, the SJC amended its Rule 4:02, entitled “Periodic Registration of Attorneys,” to include a requirement that attorneys complete, as part of the annual registration process, a demographic and law practice survey, the results of which will be used solely for the purpose of developing services and programs to aid lawyers. Responses are not associated with BBO attorney accounts and do not contain identifiable information that would reveal any individual’s identity.

The role of the Standing Committee is to administer the survey, collect the data, and analyze the results. The Standing Committee issued a Census Report and summary of completed surveys collected from 73,227 lawyers between November 11, 2020 and November 11, 2021. This report was prepared by NORC at the University of Chicago, retained by the Standing Committee for this purpose.

The Census Report and additional information is available at <https://lawyerwellbeingma.org/lawyer-census>.

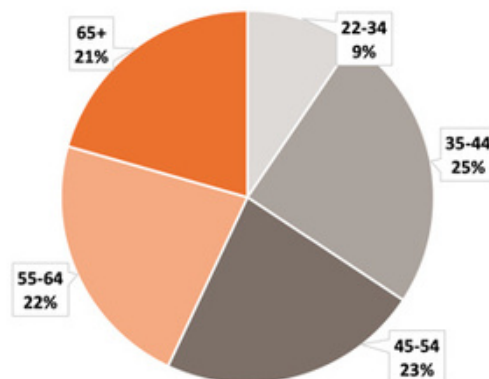
In 2023, the Standing Committee plans to release an interactive data tool to the public to filter and sort this data and view trends.

Highlights from 2022

The Census Report provides the following insights about lawyers in Massachusetts:

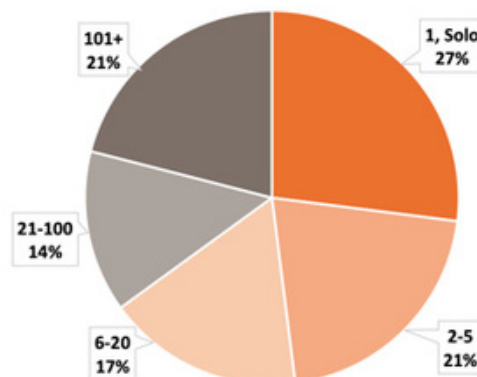
- A growing population of lawyers 55 or older, indicating the potential for a workforce shortage as lawyers in this cohort begin to retire;
- A majority of lawyers in the Commonwealth working in solo practice or in a small firm or organization;
- Diverse lawyers underrepresented as compared to the general Massachusetts population; and
- Younger lawyers between the ages of 22 and 44 representing more diverse identities than older lawyers 45 years plus.

Close to half of registered and active lawyers are 55 or older, indicating the potential for a workforce shortage as lawyers begin to retire.



Only includes registered Massachusetts lawyers who indicated active status (58,384).

Two-thirds of registered and active lawyers work in solo practice or in a small law firm or organization with 20 or fewer lawyers.



Highlights from 2022

Management Training

Pursuant to recommendations in the 2019 Steering Committee Report and recognition that better training of managers and supervisors can improve workplace culture and well-being of staff, the Standing Committee helped facilitate a management and supervisor training program pilot with attorneys at Greater Boston Legal Services. The pilot, conducted by a management training consultant, provided attorney managers and supervisors with four half-day virtual workshops supplemented by e-learning materials, resources, and self-assessments. Topics included transitions to leadership and management, the role of leaders, leadership mindset, communication and listening skills, inclusive leadership, time management and delegation, managing and inspiring performance, and providing feedback. The Standing Committee conducted a program evaluation and plans to extend this offering to more legal services organizations across the Commonwealth.

Mentorship Programs and Resources

The Standing Committee launched its Statewide Mentorship Program Database in 2021, and its first Attorney Mentoring Program began in 2021. In its first year, 48 mentors and 90 mentees from across the Commonwealth participated in the inaugural mentorship program. In 2022, 57 mentors and 180 mentees participated in this program. The Standing Committee conducts annual program evaluations soliciting feedback from mentors and mentees. According to the 2021 program evaluation, nearly all participants who provided feedback indicated that they would recommend the mentorship program to others. The 2021 program evaluation also provided insight into what participants gained as a result of their participation, including helping others to gain confidence and courage to practice law and mentees experiencing a greater sense of connection and commitment to the legal community and profession.

Highlights from 2022

Mentorship Programs and Resources (cont.)

The 2022 evaluation is in progress, but a mid-program check of the Attorney Mentoring Program revealed the following experiences cited by mentees in the program:

“I met with both mentors I signed up with. Both were incredibly kind and generous with their time and sharing their experiences. Both went above and beyond, in my opinion, offering to chat at any time in the future. I would highly recommend others to participate in this program!”

“I enjoyed my meeting with my mentor and I felt like the conversation was helpful for me to think about my current work life balance.”

“Insightful, inspiring, and rewarding.”

“This program is great and I only wish it was around earlier in my legal career.”

“[My mentor] was extremely helpful and supportive.”

The screenshot displays a web interface for a mentorship program. It features two main filter sections at the top: "Practice Area(s)" and "County of Practice and Affinity Bar Affiliation".

Practice Area(s) filters: All, Bankruptcy, Business/Corporate, Civil Rights, Commercial Litigation, Criminal, Criminal (prosecution or defense), Divorce/Family, Estate Planning/Wills and Trusts, General Practitioner, Government/Municipal, Housing, Immigration, Intellectual Property, Labor and Employment, Other, Personal Injury, Probate Litigation, Real Estate, Regulatory/Administration, Tax.

County of Practice and Affinity Bar Affiliation filters: All, Barnstable County, Berkshire County, Bristol County, Dukes County, Essex County, Franklin County, Greater Newburyport Bar Association, Hampden County, Hampshire County, Middlesex County, Nantucket County, Norfolk County, Plymouth County, Suffolk County, Worcester County, Asian American Lawyers Association of Massachusetts (AALAM), Massachusetts Association of Hispanic Attorneys (MAHA), Massachusetts Black Lawyers Association (MBLA), Massachusetts LGBTQ Bar Association, South Asian Bar Association of Greater Boston, Woman's Bar Association of Massachusetts.

Mentor Profiles:

Name	Law Firm	SESSIONS AVAILABLE
Christine Bonardi	Law Office of Christine M. Bonardi	4
Lyzette Bullock	Blue Cross and Blue Shield of Massachusetts, Inc.	4
Vikas Dhar	Dhar Law, LLP	6
John Donnelly	Law Office of John M. Donnelly	0
Stephen Hall	Orrick, Herrington & Sutcliffe LLP	5
Dena Kavanagh	Your Empowered Space	6
Kristy Lavigne	Massachusetts Office of Bar Counsel	3
Dmitry Lev	Law Offices of D. Lev, PC	6
Christopher Lhuier	Ruberts, Israel & Weiner, P.C.	2
Richard McLeod	McLeod Law Group, LLC	5

Highlights from 2022



Well-Being Week in Law

In collaboration with nearly all bar associations in Massachusetts as well as Lawyers Concerned for Lawyers, the Institute for Well-Being in Law, Mindfulness in Law Society, and legal employers across the state, the Standing Committee celebrated Well-Being Week in Law, May 2-6, 2022, to promote health and happiness in the legal profession. With the support of the Massachusetts Bar Association Well-Being Committee, events included a keynote speaker, Eileen Zimmerman, journalist, social worker, and author, who spoke about her ex-husband, a Silicon Valley lawyer who died by a drug overdose; Michael Curry, CEO of Massachusetts League of Community Health Centers, on the intersection of mental health and the BIPOC community; and daily readings, videos, activities, yoga and mindfulness sessions, and community coffee breaks with local attorneys.

Additional Projects & Collaborations

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. Additional resources, programs, and efforts are listed below:

- Website: www.lawyerwellbeingma.org
 - Monthly eNewsletter: Archived at <https://lawyerwellbeingma.org/newsletter-archives>
 - Social Media: Instagram [@lawyerwellbeing](https://www.instagram.com/lawyerwellbeing)
 - Speaking Engagements: Numerous speaking engagements across sectors, including bar associations, legal employers, and law schools
 - Bar Association Collaboration: Host quarterly bar leader meetings, support bar association well-being committees and efforts, assist efforts to expand bench-bar communications
 - Financial Well-Being: Continue to support education and coaching resources with AccessLex, available at <https://lawyerwellbeingma.org/financial-well-being>
 - Legal Well-Being Network: Host regular meetings with legal professionals in Massachusetts to share best practices, ideas, challenges, and vision to improve lawyer well-being, available at <https://lawyerwellbeingma.org/legal-wellbeing-network>.
 - National Connections: Participate in regular State Task Force Meetings through the national Institute for Well-Being in Law (IWIL), and collaborate on relevant policy projects with IWIL and other State Task Forces
 - Well-Being Needs Assessment: Provide input to support a well-being needs assessment of lawyers in Massachusetts conducted and published by NORC at the University of Chicago and Lawyers Concerned for Lawyers Massachusetts
 - Eligibility for Public Service Loan Forgiveness: Continue to support the Committee for Public Counsel Services advocacy for Public Service Loan Forgiveness coverage for private bar counsel
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www.lawyerwellbeingma.org