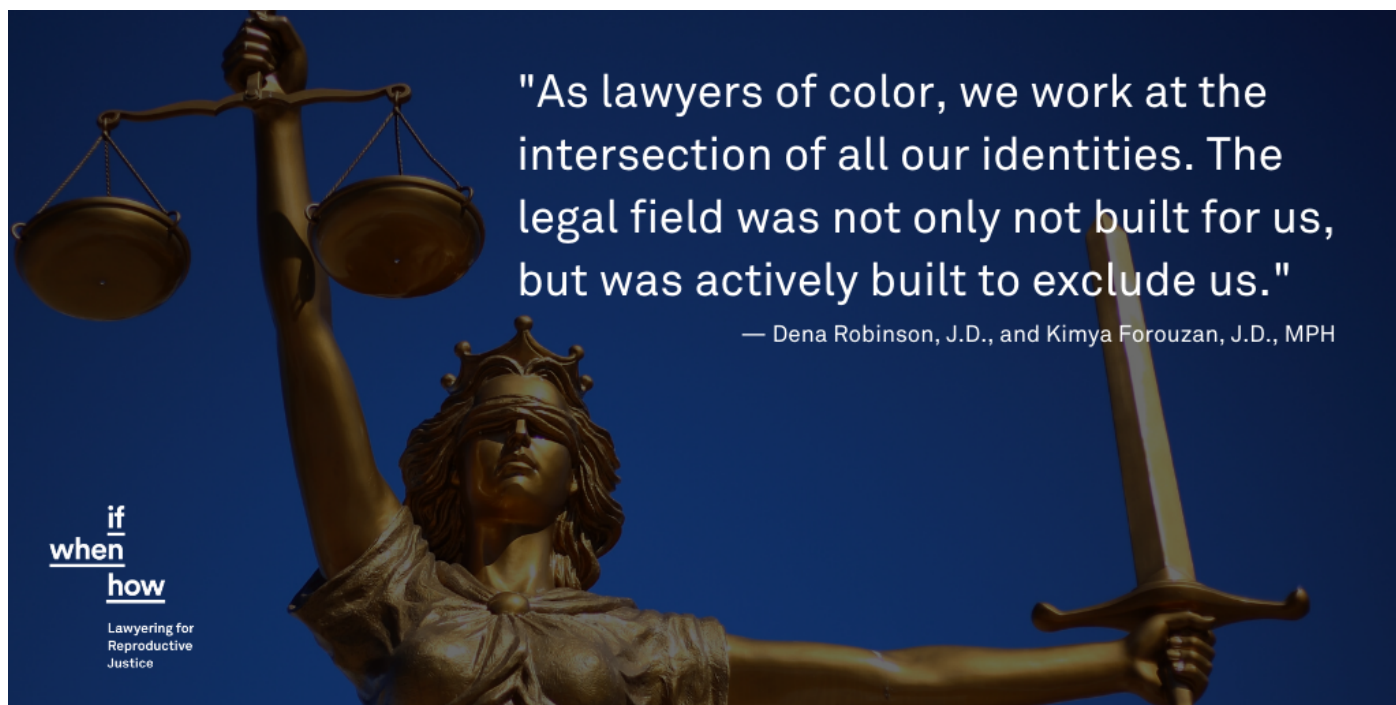




News (<https://www.ifwhenhow.org/news>)



11.25.2019 / IF/WHEN/HOW STAFF

For Lawyers of Color, Collective Liberation Looks Like Mental Health Care

By Dena Robinson, J.D., former If/When/How Board President, and Kimya Forouzan, J.D., MPH, If/When/How Reproductive Justice Fellow at NAPAWF (<http://www.napawf.org>)



Kimya Forouzan and Dena Robinson

Lawyers are no stranger to the issue of mental health. A 2016 study (<https://www.hazeldenbettyford.org/about-us/news-media/press-release/2016-aba-hazelden-release-first-study-attorney-substance-use>) found that 28 percent of lawyers struggle with depression, and 19 percent demonstrate symptoms of anxiety. We are often confronted with news stories

(<https://www.law.com/americanlawyer/2018/11/12/big-law-killed-my-husband-an-open-letter-from-a-sidley-partners-widow/?slreturn=20190221210340>) of these mental health struggles for lawyers, some of which become fatal. In this environment, coming forward about the realities of mental health concerns for lawyers is vital.

Despite what we know about mental health in the legal community, we often ignore the most marginalized in that community — lawyers of color. For lawyers of color, struggles with mental health are compounded. Many of us will spend three years in law school being the only person of color in our classes, reading about the struggles our ancestors have faced and will continue to face, in a “justice” system that was not built to be “just” to people like us. We know that outside of the legal profession, people of color often face greater barriers in accessing mental health resources. For example, a recent study found that the test widely used to screen people for depression is much more effective in determining the mental health status (<https://www.journals.uchicago.edu/doi/abs/10.1086/694791>) of white people than of people of color.

As lawyers of color, we work at the intersection of all our identities. The legal field was not only *not* built for us, but was actively built to exclude us. While this impacts many aspects of our work, it is vital to recognize the impact our careers have on our mental health and what can be done to improve this status quo. To unpack this issue, we have both decided to share our own perspectives, as well as what others have shared with us about their experiences.

A lot of this stigma begins in law school:

Kimya: *While I have always tried to be mindful of my mental health, law school presented unique challenges. It touched and amplified on parts of me that I have always struggled with — imposter syndrome, the feeling of needing to constantly be productive, and the impulse to channel anxiety and stress into unhealthy coping mechanisms. However, I began to realize the impact of my career on my mental health when I saw how this field could leave me feeling burned out, a feeling I continued to experience for periods at a time when the law directly impacted my community.*

Dena: *As a Black, queer, first-generation American woman, I entered law school knowing that this institution was not always meant to include people and women like me. My first year of law school I lost my voice; I spoke a handful of times throughout my 1L year, maybe five at best. I had deep imposter syndrome, but I was engaging with a curriculum that did not reflect me, Professors who did not reflect me, and white men in my classes who acted like they were the beginning and the end of the law. As a former teacher and organizer, it hurt to lose the very thing that set me apart. I was burned out, angry, and filled with regret. I did not fully regain my voice until my second-year, after transferring to a new law school where students of color actively spoke in class.*

Law schools are not the only places where lawyers of color are doubly oppressed. In speaking with other public interest lawyers in our field, we found that many shared similar experiences. Some attorneys cited that in addition to demanding workloads, they were often called upon to take on additional, uncompensated tasks, such as providing language interpretation for clients. And these requests for additional work are not just anecdotal — one study found that people of color are more

often asked to complete “office housework” — i.e. administrative tasks like taking notes, finding a time for people to meet, ordering lunch, sending faxes, and more. While work-life balance can be a challenge for all attorneys, this is compounded for attorneys of color, who are more likely to be assigned this “office housework,” especially in public interest fields where resources are more limited.

Many lawyers of color we spoke to indicated that serving communities that look like us can be incredibly exhausting. One lawyer noted that her mental health has declined dramatically since she started practicing law, and that she often feels a sense of hopelessness and anger because non-profit organizations are not always engaging in the difficult but crucial conversations around racial inequity given the communities they serve.

Lawyers of color are often expected to brush off biases and microaggressions they face in their profession, even when it negatively impacts their mental health. One lawyer wrote, “As a lawyer, you are expected to get over and work through demoralizing comments, rudeness, latent sexism, racism, and many other ‘isms’ without as much as flinching. As if trying to do well in a mostly white male-dominated field wasn’t difficult enough, the pressures that come with being a lawyer — more specifically a litigator — have required me to come up with coping mechanisms so I can, not just survive, but actually enjoy my career and live a healthy, happy life.” Another lawyer, a Black man, told us he has walked into courtrooms and has been mistaken for a defendant. He said that for a while, he was trying to “sound” like a lawyer and one day realized: “a lawyer sounds like me.” Another lawyer wrote, “The amount of times people have asked me in court whether I’m really a lawyer or a ‘real lawyer’ is exhausting.”

One lawyer, Noelia Rivera-Calderón, mentioned that while some legal workplaces or law schools may be conscious of these mental health concerns, there remains a bias in how behavior of people of color is interpreted. For example, people of color may be simply viewed as “moody,” while their white counterparts may be viewed as reasonably responding to the stressors of the job. Rivera-Calderón’s research, published in a recent report (<https://nwlc.org/resources/we-are-not-invisible-latina-girls-mental-health-and-philadelphia-schools/>), found that mental health needs for Latinx high school students often went unidentified due to the same biases that also exist in the legal field.

So how might we make the legal community liberatory? The lawyers we spoke with shared some ideas — some that will take time and organizational buy-in, others that we can start implementing in our lives right away:

- Good pay and comp time — lawyers of color want time to take days off to make up for the taxing schedules many of them have.
- More POC mentors and advisors.
- We need the stigma around mental health to end, for the liberation of all of us.
- We need opportunities to check in with and support other lawyers of color.
- We need organizations, firms, and schools to dig deep into racial equity work, especially if they serve Black + Brown communities.
- We need organizations to create racial justice/equity goals that are informed by those most impacted (i.e. the communities they serve).

- Orgs to actually dig deep into racial equity work, especially if they're serving black + brown communities.
- Journaling/having a support system .
- Prioritization of rest for lawyers of color. Check out this article (<https://forge.medium.com/the-pomodoro-technique-can-be-an-act-of-resistance-908bbbba84>) on the Pomodoro Technique.

For many of us, providing legal services to those who look like us grounds us in our collective liberation. But that is not enough — to continue this essential work, we must lift each other up and be open about our needs and experiences. Over time, change is possible. We wouldn't be here if we didn't believe that, above all.

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"I Fell Twice Before, My Bounce Back Was Special" (<https://www.ifwhenhow.org/i-fell-twice-before-my-bounce-back-was-special/>)

Lina Houston, Director of Campus & Community Programs

I have failed the California bar exam twice. That's a slightly scary admission to make publicly since the legal profession is pretty invested in prestige (and, quite frankly, a narrow concept of success). But as someone who works with law students, I believe it is my responsibility to be honest about my experiences with the bar. ... Read more (<https://www.ifwhenhow.org/i-fell-twice-before-my-bounce-back-was-special/>)

09.27.2016/ IF/WHEN/HOW STAFF

7 Ways to Support and Center People of Color (<https://www.ifwhenhow.org/7-ways-to-support-and-center-people-of-color/>)

Lina Houston, Director of Campus & Community Programs

I am passionate about our Supporting and Centering People of Color Initiative. If you and I have spoken, even for a few minutes, I probably mentioned it. But what does it mean to support and center people of color, and how do you do it? Here is an incomplete list of suggestions, in no particular order,

that can help.... Read more (<https://www.ifwhenhow.org/7-ways-to-support-and-center-people-of-color/>)

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