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Free With Registration: Combating Private Demons

Attorney's Mission Is to Erase The Stigma of Depression

By Thomas Adcock
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Two years ago, a psychiatrist with three decades of experience told Buffalo attorney Daniel T. Lukasik that a quarter of his clientele were, just like him, lawyers suffering mental illness.

Regrettably, however, the doctor knew of no peer support groups to augment the medical and psychological treatment that was helping Mr. Lukasik climb out of a well of depression.

"We're supposed to be the ones in charge," said Mr. Lukasik, managing partner at Cantor Lukasik Dolce & Panepinto, a personal injury firm. "We're not supposed to be vulnerable or broken people."

Despite a landmark 1991 study by Johns Hopkins University, in which lawyers ranked first in incidence rate for clinical depression among 105 professions surveyed, Mr. Lukasik added, "Lawyers don't talk about it."

So he set himself a mission:

- In partnership with the Erie County Bar Association, Mr. Lukasik helped create the Committee to Assist Lawyers with Depression. The initiative was recognized with a Certificate of Merit during last month's annual Manhattan meeting of the New York State Bar Association.
- He created a Web site - www.lawyerswithdepression.com - offering a wealth of information on the disorder, geared to the interests and fears of attorneys.
- Further, in association with the Erie County bar, he organized what may be the first national seminar on attorney depression, set for April 11 at the Ramada Inn and Conference Center in the Buffalo suburb of Getzville. (The afternoon seminar offers 3.5 CLE credits. For information, contact Mary Kohlbacher at mkohlbacher@eriebar.org.)



Buffalo attorney Daniel T. Lukasik is the founder of Lawyers with Depression, a support and information Web site.
Image: Doug Benz

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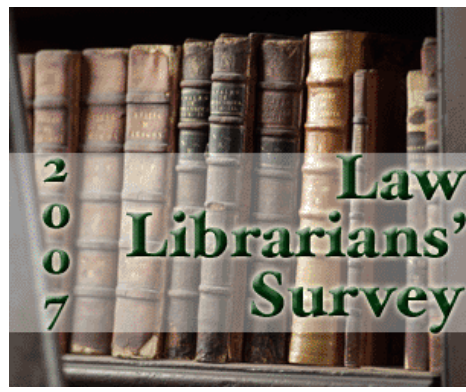
ARE YOU DEPRESSED?

According to the American Psychiatric Association, a person suffers from major depression if he or she experiences the first two of the following symptoms, along with any four others, continuously for more than two weeks:

Former Monroe County Family Court Judge Michael Miller, who suffered bouts of severe depression in the recent past, is among the seminar speakers.

"I've gone the whole nine yards - therapy, drugs, electroshock treatments," said Mr. Miller, of counsel at the Rochester firm Chamberlain, D'Amada, Oppenheimer & Greenfield. "It's hell on earth."

He added, "There's a stigma. Lawyers are scared. I know of [depressed lawyers] who are paying therapists in cash because they don't want a paper trail. And there are kids in law school who refuse to go and get help because, inevitably, they would have to answer truthfully on some form that asks,



'Have you ever been treated for mental illness?'"

Kathryn Grant Madigan, president of the state bar and a partner at Levene Gouldin & Thompson in Binghamton, calls Mr. Lukasik a "remarkable pioneer" whose willingness to "step out front" has encouraged New York lawyers to finally think of depression as a treatable mental problem - just as alcoholism, the stigma of an earlier generation and likewise more prevalent among lawyers than the general public, is now widely seen as a treatable disease.

But why do such debilitating illnesses strike the legal community so fiercely?

"Lawyers have a pessimistic style of thinking, more so than the average occupation or person. In most areas of life, the pessimistic attitude is discouraged. But with lawyers, it's encouraged," said Mr. Lukasik. "Pessimism becomes one of our skills - a weapon. Then you have lawyers' personality traits: overachieving, somewhat neurotic, detail-oriented. Put all that into a stressful, competitive environment and you're just begging for depression to bloom."

He added, "Lawyers walk around like Atlas, thinking the world is on their shoulders. And so their bodies break down, their minds begin to break."

'Huge Obstacles'

Indeed, Mr. Miller nearly broke.

For two years, he said, "I was hopeless," walking the streets of downtown Rochester with his head down, as if hiding from Internal Revenue Service agents he was convinced were pursuing him as a tax delinquent.

"Getting from the bed to the couch was sometimes all I could do," he said. "Getting my clothes on and brushing my teeth were huge obstacles. Before getting into my car and driving downtown, I'd sit in a chair for an hour, summoning my courage. Sometimes I'd turn around and come back home. Or I'd sit in my car for 45 minutes before going into the office. And when I got in, what would I do? I'd stare out the window."

He added, "I was certain that I owed a huge amount of money to the IRS. Maybe I'd go to jail. My accountant said, 'What are you talking about? You've got a refund coming.' But nobody could talk to me. I was convinced I was totally penniless. I started going to a [homeless shelter] with my Medicare card so I could get a hot lunch for two dollars.

"So one day, a TV crew comes into the shelter - and there I am, one of the most recognizable faces in town. What did I do? The perp walk. I put my coat over my face and ran out."

Toward the end, the former judge said, "I came very close to taking the ultimate step."

But like Mr. Lukasik, Mr. Miller was rescued by the combined compassion of his wife and colleagues.

"I told the partners at my firm that I couldn't do anything. I offered my resignation," said Mr. Miller. "They said, 'No, your place is right here.'"

After a period of trial and error, Mr. Miller was prescribed the proper combination of drugs - "Depression, in part, is a chemical imbalance in your brain," he said - and availed himself of psychological counseling. Among other things, he came to recognize that suicide is "a permanent solution to a temporary problem," as he put it.

Mr. Lukasik was similarly paralyzed for a time, and, like Mr. Miller, submitted his resignation. Mr. Lukasik's partners - Mark A. Cantor, Marc C. Panepinto and Frank J. Dolce - refused to let him go.

Speaking for the firm, Mr. Dolce wrote of the episode in the summer 2006 issue of LAT News, a publication of the New York State Lawyer Assistance Trust:

I have been fortunate to have over the last several years a skillful, hard-working and successful law partner in Dan Lukasik. It just so happens that Dan suffers from severe clinical depression.

This psychological illness affects not only Dan's personal life, but also his professional practice. By courageously dealing with his depression, he has actually enhanced his practice and magnified his positive contribution to our law firm. Over the years, my two other partners and I have been able to effectively grow our practice while assisting Dan on his steady path toward psychological wellness.

To help him successfully deal with his illness, we have focused on reducing the considerable stressors that accompany civil litigation. Strategies include implementing flexible work and trial schedules, thoughtfully staffing trial teams and carefully planning out-of-town work assignments.

Depression cannot be simply ignored or kept in the closet. . . . The steady growth of our practice and Dan's continued effectiveness and wellness are a testament that depression can be managed successfully within a vibrant civil litigation practice.

Ms. Madigan, the state bar president, said initiatives have come about in Albany, Rochester, New York City and her own area - Broome County, and adjacent Tompkins and Chemung counties - to provide support groups for depressed attorneys as the direct result of Mr. Lukasik's energies.

Such groups, all of which offer first-name confidentiality, are mostly informal gatherings, such as Mr. Lukasik's "lunch bunch" in Buffalo.

City Initiatives

In Manhattan, however, attorney-turned-social worker Andrew Z. Blatter recently ended one of his periodic formalized programs, in which he facilitates weekly sessions for a three-month period among about 10 clients, at no cost to member lawyers.

"Groups in any form are useful adjuncts to treatment," said Mr. Blatter, a former tax law partner at Hunton & Williams who joined the New York City Bar Association in February 2007 as a part-time clinical associate with the city bar's Lawyer Assistance Program.

While the word depression is seldom articulated in law firm quarters, said Mr. Blatter, "you're definitely aware of it. It's usually called being stressed out or burned out. Lawyers may act out in anger, or they'll retreat into isolation. Sometimes there is bizarre behavior."

Patricia Spataro, director of the state bar's Lawyers Assistance Program, said raised consciousness over the past several years has resulted in 30 percent to 40 percent of her calls now related to depression - up from practically zero - roughly the same rate as those involving alcohol or drug abuse. She credits lawyers like Mr. Lukasik and Mr. Miller.

"People draw courage from seeing others come forward to be the face of this disease," she said. "We can't tell them that they won't somehow be [negatively] judged, but often they come to realize that their recovery is more important - that the demons are doing them more harm than anything else, that we're only as sick as our secrets."

Eileen C. Travis, director of the city bar's Lawyer Assistance Program, has seen an increase in inquiries from depressed lawyers that parallel Ms. Spataro's experience.

"When I started with this program nine years ago, I actually had a lawyer tell me that he wished he was an alcoholic because it would have been easier to deal with," said Ms. Travis. "That speaks to stigma, especially among men."

Fear of stigma is alive and well, according to Mr. Miller.

Unlike Mr. Lukasik, who is 46, Mr. Miller said, "I'm no hero, I'm certainly not a person of great courage. I'm 68 years old and I've achieved everything I've wanted to achieve.

"If I was, say, 35 years old and still trying to build my career, do you think for a minute I'd be talking to you?"

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