

Pursuing Wellness: When A Firm Brings Counseling On Site

By **Meg Meserole and Kimberly Merkel** (September 18, 2019, 6:31 PM EDT)

One year after the American Bar Association launched its seven-step pledge to improve mental health and well-being in the legal industry, this Expert Analysis series features updates from leaders at some of the law firms that were among the first to commit to the campaign. These articles explain how firms came up with ideas to implement elements of the initiative, how those ideas were put into action and the impact their efforts have had to date.

As we mark the first anniversary of the launch of the American Bar Association's groundbreaking pledge campaign to improve the mental health and well-being of lawyers, on which Akin Gump Strauss Hauer & Feld LLP was proud to be an inaugural signatory, it's a good time to reflect on the unique ways in which firms have approached this important topic.

So many efforts have been made to shine a light on the stark realities of the legal industry, the inherently stressful environment, the long hours and unpredictable schedules, and the high rates of substance use, depression, anxiety and other behavioral health issues.

In light of these challenges, the ABA pledge has provided a framework within which firms can continue to enhance their well-being efforts, introduce new ideas and initiatives, and share best practices with a spirit of generosity and community in support of a common goal.

When signing the pledge, firms commit to adopt and prioritize its pillars to support well-being, and to raise awareness of, and combat, substance abuse and mental health issues in the legal profession. For Akin Gump, many of those pillars validate successful ongoing efforts in our support of wellness and resiliency, and others challenge us to innovate and renew our deep commitment to the well-being of our lawyers and business services employees.

One of the seven pillars challenges signatories to provide confidential access to in-house mental health self-assessment tools and resources. Akin Gump's global Be Well program — the firm's holistic wellness initiative focused on improving the physical, emotional, financial and community-minded well-being of the firm's lawyers and staff — embraced a commitment to providing on-site behavioral health resources.



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The on-site behavioral health program has surpassed every expectation we had for it. It has become a key aspect of our well-being programming and helps to support the ever-changing needs of our population.

In 2017, our firm began the journey to bring behavioral health resources on site to the firm's employees, starting with a call that September from the Washington, D.C., associates committee. The committee asked if someone from the senior human resources team could speak to them about mental health initiatives, the programs available at the firm, how to make this topic less taboo, and ways the committee could support and encourage communication and education about mental health challenges.

At the same time, the firm's management committee approved a pilot program to bring behavioral health services on site to the firm, as an enhancement to the firm's Be Well program. The creation of this new program was a catalyst in bringing wellness resources to the forefront at Akin Gump.

The goals of the on-site behavioral health program are to support all firm personnel in managing work-life integration, developing resilience, managing stress, and to provide support through confidential one-on-one sessions with licensed providers and relevant educational seminars open to everyone in the office.

On-site behavioral health and well-being services are intended to complement other benefit resources already in place at the firm, including traditional insurance coverage of mental health and substance use/addiction treatment; health advocacy, counseling and referral programs through our employee assistance program; and the Be Well program. In short, the on-site behavioral health program sought to take the firm's well-being commitment to a whole new level by creating convenient access to behavioral health advisers for all personnel.

We set out to design a pilot program in the Washington, D.C., office and to identify an on-site well-being adviser. Our first call was to the associates committee to identify several committee members to serve on the search panel along with partners, senior business services leaders, human resources representatives and volunteers from our business services teams. After an extensive search and interview process, the panel found the ideal well-being adviser for the D.C. office.

Within hours of the April 2018 launch of the firm's on-site counseling service, named Be Balanced, in the D.C. office, sessions had been booked through the following two months. The firm used a confidential scheduling application to facilitate the process and it appeared we were on to something.

While the pilot status of Be Balanced was upgraded to "full steam ahead" after a few short months to expand to other offices across the firm over the ensuing months, using the lessons we learned in D.C., we continue to approach the implementation of this program with deliberate discipline. Our goal is to ensure that we involve an appropriate representation of personnel in each office to identify the right well-being adviser for each office's unique culture and needs. The importance of finding the right adviser cannot be overstated.

Across our offices, the Be Balanced program follows the same framework:

- All personnel have free, voluntary access to on-site, confidential sessions with a licensed clinical social worker (or similarly credentialed counselor based on region) to discuss whatever might be on one's mind that is causing stress, distraction, relationship issues, etc.

- Appointments are offered in the office one day per week (the same day every week) for approximately 30 minutes with advance scheduling and same-day walk-in appointments as available.
- Appointments are held in private and dedicated office space.
- Counseling is intended to be short-term and individuals may be limited to a maximum number of visits; however, the well-being adviser works with individuals to locate and secure ongoing services that may be appropriate for the issue at hand. Ongoing services are coordinated to take advantage of the firm's in-network medical plan provisions or other considerations of the individual.
- No information is shared with the firm — not the names of anyone who visits the advisers nor any details of their discussions (exceptions include those required by law and licensing regulations; for example, if an individual is deemed to be at risk of harming themselves or others).
- The firm may receive aggregate data, including the number of appointments scheduled and very broad categories of the topics discussed during sessions, to determine the on-going effectiveness of the program and ways in which the firm can improve it.

To date, we have launched our Be Balanced program in our New York and London offices and our Los Angeles office is set to offer the service in September 2019. The firm is also rolling out telephonic and secure videoconference counseling sessions to our smaller offices using existing advisers. The firm's Texas offices will be the next recipients of these services and thereafter we will work to expand this service to other international offices such as Hong Kong, where we know there is interest in support of a local resource.

In addition to the one-on-one counseling the firm's well-being advisers provide, the advisers also lead a number of popular well-being seminars and workshops. Topics have included the superpower of sleep, top 10 mental health tips, and managing stress and change. The advisers also recognize the value of weaving themselves into the fabric of the firm and as such, work with practice group and other team leaders to meet and talk with their various teams — all in support of raising awareness and creating greater access to their services.

Simultaneous to the roll-out of our Be Balanced program, in early 2018 Akin Gump created the firm's first director of career counseling and planning position. The creation of this position solidified the firm's commitment to supporting our lawyers in all facets of their careers, including providing access to confidential, personalized resources to help them be deliberate and thoughtful about their career progression. Carrie Marker joined the firm in June 2018 in the newly created director role and has successfully worked with many lawyers across the firm on topics such as integration planning, career counseling and behavioral coaching.

The lines between the firm's Be Balanced program and career counseling and planning resources can understandably blur based on individual circumstances. With that in mind, as new behavioral health advisers come on board as part of the Be Balanced program, Marker meets with them along with our director of benefits and well-being. This open communication helps ensure that all facets of the firm's counseling programs and various resources, both internal and external, are well defined and that expectations are clear. The synergies between the two programs align well and to the benefit of all; each program makes the other stronger and serves to reinforce that it is OK to ask for help.

To bolster Marker's efforts, as well as those of the well-being advisers and other programs throughout the firm that raise awareness and decrease stigma, the firm has also undertaken on-site mental health first aid training, beginning with our Washington, D.C., and London offices, with plans to offer this training more broadly across the firm. Mental health first aid training is designed to equip individuals with knowledge to recognize and support someone who may be experiencing a substance use issue or mental health or other crisis and help them access appropriate resources.

The goals of this type of training include, but are not limited to, raising awareness regarding the importance of strong mental health, reducing the stigma and negative perceptions that often surround asking for help and enhancing the tools and resources of personnel to enable them both in and out of the office to "see something, say something, help someone."

As programs such as Be Balanced become more common in law firms — enhancing awareness and removing the stigma of asking for help — they are also creating incremental improvement in the well-being of our lawyers and staff. This is why we first signed the ABA pledge last year. A guiding principle of our human resources team is to "meet people where they are." How better to do that than to bring the help to them?

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