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DEPRESSION TO DEDICATION: HOW CHIEF JUSTICE GANTS SAVED MY LIFE AND CATALYZED ONGOING ADVOCACY FOR MENTAL HEALTH IN THE LEGAL PROFESSION

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Abstract: Chief Justice Ralph D. Gants was more than just a lauded member of the Massachusetts state judiciary. He was a mentor, a confidant, a friend. Gavin Alexander, one of Chief Justice Gants's former Law Clerks, writes in deeply personal terms about the incredible kindness, empathy, and pure humanity that defined the late Chief Justice. Alexander, through the narrative of his journey coping with depression and eventually becoming a public advocate for mental health and diversity, equity, and inclusion in the legal profession, emphasizes the marked impact Chief Justice Gants had on his life and the lives of so many other lawyers experiencing similar struggles. Beyond his individual story, Alexander describes how, under Chief Justice Gants's leadership, the Supreme Judicial Court created its initial Steering Committee on Lawyer Well-Being in 2018 and its more permanent Standing Committee on Lawyer Well-Being in January 2020. As the Committee's first Fellow, Alexander describes how the Committee strives to improve lawyer well-being in Massachusetts by breaking down the stigma against discussing mental health issues and seeking help, by educating the Massachusetts legal profession about topics and resources relating to well-being, and by advocating for systemic change to make the Massachusetts legal profession more rewarding, sustainable,

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* Fellow, Massachusetts Supreme Judicial Court (SJC) Standing Committee on Lawyer Well-Being. This essay is a lightly revised and updated version of remarks originally presented at the *Boston College Law Review* Symposium in Honor of SJC Chief Justice Ralph D. Gants, and subsequently published online as a blog post. Gavin Alexander, *True Stories: A Lawyer with Depression's Journey from Pain to Mental Health Advocacy*, LAWS. WITH DEPRESSION (June 23, 2021), <https://www.lawyerswithdepression.com/articles/true-stories-a-lawyer-with-depressions-journey-from-pain-to-mental-health-advocacy/> [<https://perma.cc/ZC6J-NBCJ>]. I thank the editors of the *Boston College Law Review* for allowing me to include this story of my experiences with depression and Chief Justice Gants's impact on my life in their published symposium edition in honor of the late Chief Justice. I am also deeply grateful to Dan Lukasik (the Judicial Wellness Coordinator for the New York State Office of Court Administration) for publishing the previous version of this essay on his blog, to the editors and volunteers who supported the development and publication of this volume of the *Boston College Law Review*, and to Professor Harold Hongju Koh, Professor Deborah Ramirez, Rachel Gants, Michael Gants, and all of the other contributors to both the symposium event and this print edition for all they have done and will continue to do to honor the Chief's life and lasting legacy.

and inclusive. This critical work, which continues today, carries on Chief Justice Gants's legacy, and challenges Massachusetts lawyers to embody and advocate for the kindness, empathy, and desire for equitable justice that Chief Justice Gants exhibited his entire life.

During the 2012–2013 court year, I had the honor, the privilege, and the absolute pleasure of serving as a Law Clerk to Chief Justice Gants. In the next year, I supported him during his elevation to Chief, and in the year after that, he officiated my wedding to my partner, Angelo. I got to know the Chief as a jurist, a mentor, and as a friend. Most importantly, Chief Justice Gants changed the course of my life and career when, several years after my clerkship, I admitted to him that I had been experiencing symptoms of severe depression. In a manner unsurprising to anyone who knew him, he responded by supporting me without hesitation. Further, he encouraged me, once I felt safe and secure, to use my own lived experience to advocate for changes to the legal profession that might help other lawyers facing mental health issues and challenges to their well-being. This is a personal story, but it is also an example of the Chief's ultimate talent: finding the right people for the right work at the right time and elevating them so that they could use their own experiences and perspectives to improve the world.

I felt comfortable enough to come out as bisexual when I was sixteen. I didn't feel comfortable enough to come out as suffering from depression until I was thirty. As a result, although I was pretty darn sure from around age twelve that the symptoms that I was experiencing were tied to mental illness, I did not seek or receive any kind of treatment or mental health support until I was five years into my practice as a lawyer. I was petrified that leaving any sort of paper trail of having received mental health treatment would place a ceiling on my ambitions, limit my career prospects, or even cause me to lose the support of my family and friends.

During my time in law school, I thought about killing myself nearly every day of every exam and study period. I believed, based on messaging I received from law school career services offices, law professors, and the legal media, that anything short of massive success would result in abject poverty and an inability to repay my over \$200,000 of student loans. I wound up finishing my 1L year at Boston University School of Law with the highest GPA in my section of over eighty students, transferring to Harvard Law School, graduating from Harvard in the top ten percent of my class with a GPA of 4.02, and securing a clerkship with Chief Justice Gants. I provide these details not to brag, but to illustrate that depression and suicidal ideation can affect even those who show all external indicia of success.

Following my clerkship, I started working as a corporate associate in the Boston office of a massive international law firm with over 1,000 attorneys

operating out of more than ten offices worldwide. I had read everything a junior lawyer would typically read around that time about large law firm practice, including *Above the Law*, which painted a picture of junior associate life as something similar to torture in the bowels of the underworld. However, I was surprised when I arrived at my firm to discover that I actually really liked my work. Even better, most of the people with whom I interacted seemed genuinely to care about me and to want me to succeed. I was delighted, and while the hours were extreme and the schedule entirely unpredictable, I very much enjoyed my job.

In my third year, that began to change. Suddenly, and seemingly without warning, I was a mid-level associate, and I was expected to know how to manage teams, efficiently run projects on my own, and make decisions that could seriously impact multi-billion-dollar transactions. Moreover, the more senior associates who supervised me were getting even more advanced, and as they began to drown in the expectations and burdens placed upon them, they took out their increasing stress on me. This was most evident when I struggled to master non-legal skills, like management, that no one had ever taught me with any real rigor. I started sleeping about four hours a night, often in two-hour spurts because I could not stay asleep. I started taking frequent breaks to cry in the middle of the mall near my office. Worst of all, I did not tell anyone about what I was experiencing. I genuinely thought that no one would believe me if I shared the emotionally abusive behavior that one supervisor in particular was putting me through. Further, I thought that what I was experiencing was an expected part of the job. I believed that if I sought help, I would be seen as a weakling who could not handle what was needed to succeed as a corporate lawyer.

Toward the beginning of my fourth year, a headhunter called with an in-house opportunity at a hedge fund, and I decided to take the interview. Finally, I saw a light at the end of the tunnel. It was my only way out.

The interview was not amazing. From my emotionally heightened perspective, I thought it was disastrous. I later learned that the interviewer actually thought it was great, but I left feeling like garbage. Worse, when I asked about the expectations of the in-house position, they told me that I should plan to average sixty to seventy hours a week, and that I would probably need to consider reducing my bar association leadership and other external commitments.

On my way home from the interview, I stood at a train station feeling the worst I had ever felt in my life. I was stuck. I would have to return to my firm, to the abusive supervisor, to the office where I had absolutely no control over my life, to the sixty-to-ninety-hour work weeks, to all of it. But I couldn't. I couldn't go back. And there was no way out. So, if I couldn't go back, and I couldn't leave, there was only one option left. As the train approached, I felt

my center of gravity shift, and I leaned forward. The train's horn sounded. It was almost over.

A stranger shouted and grabbed my arm. She broke me out of my reverie. I stopped. I got on the train, I went home, I told my partner what happened, and we agreed that I needed immediate medical treatment. I called my primary care physician, and I began the journey to improve my life.

I tell this story very easily and very publicly now, but this was not always the case. The first time I ever told this story to anyone in the legal profession was in a basement restaurant in Boston where Chief Justice Gants and I were having dinner. I told him what happened because he was my mentor and my hero, and I wanted him to know that I was doing what I could to get better. He told me that he was there for me, and that he would do anything I asked him to do to support me. His unequivocal support in that moment, when I was most vulnerable, changed my life. In offering his support without any form of judgment or suggestion that I just needed to “suck it up” or “power through,” he acknowledged that the struggles I was facing were, in fact, real, and he highlighted that seeking help was not a sign of weakness, but rather a sign that I was doing what I needed to do in order to succeed. He also told me that my story was so important and that he hoped I would consider sharing it with others once I was ready to do so. Just as his support changed my life, so did his call to action change the course of my career.

This was in the Fall of 2016. Around the same time, the National Task Force on Lawyer Well-Being, now known as the Institute for Well-Being in Law, was researching and working on what eventually became its groundbreaking report, *The Path to Lawyer Well-Being*.¹ This report was published in August of 2017,² and, among other things, it recommended that “[a]ll stakeholders must lead their own efforts aimed at incorporating well-being as an essential component of practicing law.”³ It also emphasized the development of “state-level action plans” and called for “the highest court in each state [to] set an agenda for action and send a clear message to all participants in the legal system that lawyer well-being is a high priority.”⁴ Chief Justice Gants took these recommendations to heart, and in September of 2018, the Supreme Judi-

¹ See NAT'L TASK FORCE ON LAW. WELL-BEING, *THE PATH TO LAWYER WELL-BEING: PRACTICAL RECOMMENDATIONS FOR POSITIVE CHANGE 1* (2017), <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf> [<https://perma.cc/N9YU-69VF>].

² *Id.*

³ *Id.* at 12.

⁴ *Id.* at 12, 25.

cial Court (SJC) under his leadership convened a temporary Steering Committee on Lawyer Well-Being to address this issue in Massachusetts.⁵

I told my story publicly for the first time in December of 2018, in front of a plenary session of this Steering Committee and each of its subcommittees, a group of eighty or so lawyers and legal professionals from the top tiers of nearly every legal sector. It was terrifying, yet it was also the most cathartic thing I had ever done in my life.

The Steering Committee released its 123-page Report in July of 2019,⁶ and it became another landmark document describing the challenges faced by lawyers, judges, and law students in recent times. In January of 2020, the SJC, again under Chief Justice Gants's leadership, convened a more permanent Standing Committee on Lawyer Well-Being.⁷ I was appointed as one of its inaugural members, and in the Fall of 2020, I joined the Standing Committee's unbelievable Director, Heidi Alexander, as its first full-time Fellow.⁸

Since then, the Standing Committee has accomplished an unbelievable amount to draw attention to the state of well-being among Massachusetts lawyers, law students, and judges, and to create positive change for the entire legal profession. Some examples include:

- Establishing and hosting regular meetings of a Legal Well-Being Network, where professionals from many legal organizations share ideas, policies, and practices relating to well-being.⁹
- Working with the Massachusetts Bar Association to publish a toolkit for regional and practice-specific bar associations to incorporate well-being into their programming and structures.¹⁰
- Working with the Court to amend SJC Rule 4:02, which now requires all Massachusetts attorneys to submit de-identified demographic data as part of their annual registration process, so the Standing Committee and the

⁵ See *History*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/history-and-report> [<https://perma.cc/CL4Q-DPYR>].

⁶ *Id.*; see also SUPREME JUD. CT. STEERING COMM. ON LAW. WELL-BEING, REPORT TO THE JUSTICES 1 (July 15, 2019), <https://www.mass.gov/doc/supreme-judicial-court-steering-committee-on-lawyer-well-being-report-to-the-justices/download> [<https://perma.cc/YWU3-SEVP>].

⁷ *History*, LAW. WELL-BEING MASS., *supra* note 5.

⁸ *Welcome Gavin Alexander as First-Ever Committee Fellow!*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/welcome-gavin-alexander-as-first-ever-committee-fellow> [<https://perma.cc/9Z8F-M9AE>].

⁹ *Legal Well-Being Network (LWBN)*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/legal-wellbeing-network> [<https://perma.cc/7AYY-DBPW>].

¹⁰ See generally MASS. BAR ASS'N, THE PATH TO LAWYER WELL-BEING: A TOOLKIT FOR BAR ASSOCIATIONS IN MASSACHUSETTS (2021), <https://www.massbar.org/docs/default-source/wellbeing/mbawellbeingtoolkit.pdf> [<https://perma.cc/WCF2-LG6S>].

Board of Bar Overseers can actually measure and track the diversity of the Massachusetts bar over time.¹¹

- Publishing a Diversity, Equity, and Inclusion Statement explaining the critical connection between these topics and well-being and setting out a concrete strategy for how the Standing Committee will address these issues.¹²
- Publishing a list of resources relating to diversity, equity, and inclusion in the legal profession both in Massachusetts and at the national level.¹³
- Developing and publishing a report amplifying the voices of members of certain Massachusetts affinity bar associations regarding the specific factors affecting the well-being of lawyers and law students from underrepresented, historically excluded, and systemically oppressed populations, and working with such populations to develop recommendations aimed at creating impactful change that will make the practice of law more inclusive and equitable for all.¹⁴
- Organizing working groups to develop and hopefully publish practical recommendations aimed at legal organizations in distinct sectors to help improve the well-being of lawyers from underrepresented populations.¹⁵
- Hosting a virtual town hall for lawyers and law students with disabilities.¹⁶

¹¹ *Demographic and Law Practice Survey*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/demographics-and-law-practice-survey> [<https://perma.cc/CS9S-S2XK>]; see also Order Amending Chapter Four of the Rules of the Supreme Judicial Court (codified at SUPREME JUD. CT. R. 4:02) (effective Nov. 1, 2020), <https://www.mass.gov/doc/amendments-to-supreme-judicial-court-rule-402-effective-nov-1-2020/download> [<https://perma.cc/9S6D-CKYY>]; *Notice Inviting Comments on Proposed Amendments to Supreme Judicial Court Rule 4:02, Periodic Registration of Attorneys*, MASS.GOV, <https://www.mass.gov/service-details/notice-inviting-comments-on-proposed-amendments-to-supreme-judicial-court-rule-402> [<https://perma.cc/S92S-3ZVY>].

¹² *Diversity, Equity and Inclusion Statement*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/dei-statement> [<https://perma.cc/E47W-EYLC>].

¹³ MASS. SUPREME JUD. CT. STANDING COMM. ON LAW. WELL-BEING, PUBLIC AND/OR NON-PROFIT RESOURCES ADDRESSING DIVERSITY, EQUITY AND INCLUSION IN THE MASSACHUSETTS LEGAL PROFESSION, <https://lawyerwellbeingma.org/s/DEI-Resources-Chart-Updated-June-17-2021.pdf> [<https://perma.cc/T86C-P48A>] (June 17, 2021).

¹⁴ MASS. SUPREME JUD. CT. STANDING COMM. ON LAW. WELL-BEING, REPORT SUMMARIZING AFFINITY BAR TOWN HALL MEETINGS (Feb. 4, 2021), <https://lawyerwellbeingma.org/s/Affinity-Bar-Town-Hall-Report-2021.pdf> [<https://perma.cc/8Q3Z-VRFX>]; see also *Committee Receives Mass Bar Association Access to Justice Race, Equity and Inclusion Award*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/committee-receives-mass-bar-association-access-to-justice-race-equity-and-inclusion-award> [<https://perma.cc/L2UH-9TBP>].

¹⁵ *Legal Well-Being News (September 2021)*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/legal-well-being-news-september-2021> [<https://perma.cc/UYG9-KQTU>].

- Hosting a virtual safe space meeting for lawyers and law students from Asian, Asian American, and Pacific Islander (AAPI) communities to come together, discuss the impact of recent anti-AAPI attacks on their personal and professional lives, and support each other.¹⁷
- Organizing and co-hosting a presentation series titled “Amplifying Unheard Voices,” which seeks 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.¹⁸
- Organizing and co-hosting a program on Upstander Advocacy in the Legal Profession addressing how bias and micro/macro-aggressions impact our profession and its people.¹⁹
- Collaborating with the Massachusetts Trial Court Office of Diversity, Equity, Inclusion & Experience on various training programs for judges and other court employees.
- Organizing and co-hosting an upcoming public program where the Massachusetts Trial Court Office of Workplace Rights and Compliance will describe the processes for reporting incidents of bias and discrimination in the courts, how such reports are investigated, and what remedies have been imposed.
- Developing and publishing a list of recommendations and guidelines regarding legal workplaces emphasizing flexibility as the model for all, rather than the exception, as organizations seek to emerge from the COVID-19 pandemic.²⁰

¹⁶ *Town Hall for Attorneys and Law Students That Identify as Having a Disability (8/5)*, LAW. WELL-BEING MASS. (Aug. 5, 2021), <https://lawyerwellbeingma.org/news/town-hall-for-attorneys-and-law-students-that-identify-as-having-a-disability> [<https://perma.cc/LB6Z-JT8C>].

¹⁷ *AAPI Safe Spaces Meeting*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/aapi-safe-spaces-meeting> [<https://perma.cc/Y497-WJVG>].

¹⁸ *See, e.g., BBA Webinar: Amplifying Unheard Voices Program: Perspectives of Trans and Gender Nonconforming Attorneys, Organizers and Advocates of Color*, BOS. BAR ASS'N (June 28, 2021), <https://bostonbar.org/membership/events/event-details?ID=37442> [<https://perma.cc/R4KW-KM7Z>].

¹⁹ *Upstander Advocacy in the Legal Profession*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/upstander-advocacy-in-the-legal-profession> [<https://perma.cc/XP78-RNKL>].

²⁰ MASS. SUPREME JUD. CT. STANDING COMM. ON LAW. WELL-BEING, STATEMENT, RECOMMENDATIONS FOR LEGAL WORKPLACES POST-PANDEMIC (June 4, 2021), <http://lawyerwellbeingma.org/s/Recommendations-for-Legal-Workplaces-Post-Pandemic-June-3-2021.pdf> [<https://perma.cc/A79W-Q92W>].

- Organizing and maintaining a database of legal mentorship programs in Massachusetts,²¹ and launching an innovative, technology-driven statewide mentorship program where mentees can request meetings with several mentors of their choosing.²²
- Hosting cross-public agency training programs to build bridges and share lived experiences between prosecutors, defenders, and legal services attorneys.²³
- Launching a loan assistance program to provide financial education to lawyers with significant student loan debt,²⁴ and advocating to President Biden's educational transition team to expand the terms of public service loan forgiveness for legal professionals.²⁵
- Organizing multiple programs and collaborating with the Institute for Well-Being in Law on its "Well-Being Week in Law."²⁶
- Developing and publishing guides both for law students and for law school faculty and administrators seeking to support law students amid the unique tensions of the law school environment.²⁷
- Partnering with Lawyers Concerned for Lawyers (LCL), the sole lawyer assistance program in Massachusetts, on numerous projects, programs,

²¹ *Mentorship Program Database*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/mentorship-database> [<https://perma.cc/3U7Y-AYDM>].

²² *Massachusetts New Lawyer Mentor Program*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/new-lawyer-mentorship-program> [<https://perma.cc/EQZ4-VQ2P>].

²³ *See The Impact of Microaggressions on Well-Being*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/the-impact-of-microaggressions-on-wellbeing> [<https://perma.cc/7HPT-WLLZ>] (noting that the event was co-hosted with the Middlesex District Attorney's Office, the Massachusetts Committee for Public Counsel Services, Greater Boston Legal Services, and the Massachusetts Attorney General's Office).

²⁴ *Seeking Lawyers with Student Loans*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/student-loans> [<https://perma.cc/6NN6-RCZZ>].

²⁵ *Letter to Biden Transition Team*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/letter-to-biden-transition-team> [<https://perma.cc/KW57-JTVL>]; *see also* Letter from Hon. Margaret Botsford & Denise Murphy et al., Chairs, Mass. Supreme Jud. Ct. Standing Comm. on Law. Well-Being, to Linda Darling-Hammond, Team Lead, Biden Educ. Transition Team (Dec. 10, 2020), <https://lawyerwellbeingma.org/s/2020-12-11-Letter-to-Biden-Education-Transition-Team-from-Massachusetts-SJC-Committee.pdf> [<https://perma.cc/385G-62EU>]; Kris Olson, *Letter to Biden Team: Make Bar Advocates Eligible for Student Loan Forgiveness*, MASS. LAWS. WKLY. (Dec. 15, 2020), <https://masslawyersweekly.com/2020/12/15/letter-to-biden-team-make-bar-advocates-eligible-for-student-loan-forgiveness/> [<https://perma.cc/5SFA-C5RP>].

²⁶ *Well-Being Week in Law, May 3-7*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/news/well-being-week-in-law-may-3-7> [<https://perma.cc/YJG9-NMKH>].

²⁷ *Law Student Well-Being*, LAW. WELL-BEING MASS., <https://lawyerwellbeingma.org/law-student-wellbeing> [<https://perma.cc/3WG9-8UPK>].

publications, and initiatives aimed at supporting lawyers struggling with law office management, mental health, and substance use disorders.²⁸

None of this would have happened without Chief Justice Gants and others in leadership roles throughout Massachusetts prioritizing mental health in the legal profession. The initial Steering Committee would not have existed or released its original report. I would not have been invited to share my story. The Standing Committee would not have been formed. The work would not have been done, and, ultimately, lawyers would have died.²⁹ I might have died. Chief Justice Gants supported me when I needed it most, inspired me, and helped me turn my pain and illness into advocacy and change.

Chief Justice Gants's passing is an unmitigated tragedy for Massachusetts, the legal system, and the entire United States. Personally, his loss is an event from which I do not think I will ever fully recover—such was his impact on my life and who I am today as both an attorney and a person. But his legacy lives on in our mission to make the practice and systems of law more inclusive, more accessible, and more sustainable for all.

He always ended each of his remarks with a call to action, so let me end this essay with a similar call to each of you:

- How can you critically consider and prioritize your own well-being and the well-being of those around you?
- How can you advocate for policies, procedures, and cultural shifts that will improve or even save the lives and careers of other lawyers, law students, or judges?
- How can you turn your lived experience into positive change?
- How can you use your privilege to amplify the voices and lived experiences of those who have been silenced or unheard for too long?
- How can you find the right people for the right work at the right time, and elevate them so that they can use their own experiences and perspectives to improve the world?

²⁸ See, e.g., Rachel Casper & Gavin Alexander, *BIPOC Mental Health Month 2021: Reflections in the Legal Profession*, LAWS. CONCERNED FOR LAWS. (July 29, 2021), <https://www.lclma.org/2021/07/29/bipoc-mental-health-month-2021-reflections-in-the-legal-profession/> [<https://perma.cc/CND6-ZRLB>]; *AAPJ Safe Spaces Meeting for Attorneys & Law Students (Mass. SJC Lawyer Well-Being Committee)*, LAWS. CONCERNED FOR LAWS. (July 22, 2021), <https://www.lclma.org/pec-events/aapi-safe-spaces-meeting-for-attorneys-law-students-mass-sjc-lawyer-well-being-committee/> [<https://perma.cc/32A7-HGRD>].

²⁹ To date, I have received confirmation from multiple attorneys that the work of the Committee and its team likely stopped such attorneys from engaging in life-threatening self-harm.