

Hiding in Plain Sight Thoughts on Mental Health and Depression

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Personal Story -

About midway through the second season of the television show “House of Cards”, there is a scene where a young woman has left Washington, D.C. and gone home to be with her mother. She is followed by another woman from Washington to see how she is doing. As the visitor enters the mother’s home, she is told that the young woman is not doing well, stays in her room, looks out the window and is on anti-depressant medication.

Indeed, as we next see the young woman, she is sitting in a chair, looking out the window, not smiling and barely speaking. Clearly she is going through a difficult time, and the television show leaves no doubt but that she is suffering from some form of depression. In fact, one of the drugs she is apparently on is lithium which is often prescribed for those who are bi-polar.

This is often the stereotype of people who suffer from depression. They do not smile, cannot function and are enormously sad. While these are true and valid symptoms of depression, such a portrayal is often not the whole story. At least it was not for me.

On January 15, 1993, a Friday, I went, for the first time, to see Dr. Jean Spaulding, a well-respected psychiatrist in Durham, North Carolina. I did not want to go. In fact, I had cancelled my first appointment the day before and only went at all when my law firm directed my secretary to follow me in a car the twenty six miles from Raleigh to Durham and not to leave until I walked in the front door of Dr. Spaulding’s Dutch Colonial looking office.

The appointment was made for me by Wade Smith who had been talking with me for several days about my legal situation with the law firm I had been with, and the ethical mistakes I had made. He wanted me to see Dr. Spaulding to find out if there was any reason for the way I had behaved and the things I had done.

I should have gone to see Dr. Spaulding months and even years before. In fact, at least one of my law partners from Charlotte had driven to see me one day to suggest the very idea of my seeking professional counseling. I listened patiently to what he had to say, dutifully called a doctor’s office, only to be told the office was taking no new patients. Satisfied I had fulfilled my promise and obligation to my partner, I did nothing further.

I thought I could take care of myself, and that I did not need any help. I thought I would be okay, and nothing bad would happen to me. I was a long time attorney in North Carolina and well respected by my peers, both inside and outside the law firm to which I belonged. I came to work every day, was always on time, and to the outside world, and perhaps even to me, I was under control.

I was wrong. I know years later, it seems foolish to say I never saw it coming. But I didn’t. I am certain I knew on some level that I was doing things and acting in ways that could ultimately harm me if anyone else knew, but I did not think anyone else would ever know, and besides, what I was doing

wrong was only a fraction of my law practice and nothing that could not be explained. That was my thinking. I was wrong on that too.

I found myself in my last years of practicing law a person who was not happy with himself, his career, his life, continuing to wonder if “this was all there was”. I constantly thought of how much fun it would be to do something else, to escape from my all too real world. Still, despite these feelings, I could fool everyone, including myself. I could compartmentalize my life and my wrongdoings. I could rationalize.

I got behind on some cases and clients, had difficulty calling some of them back or telling them the absolute truth when I did reach them by phone or see them in person. I came to believe some of the very things I was telling them and confused “buying time with getting something done”. I was a mess. And I was rationalizing.

To make my world continue, I transferred money from some clients to others, told some clients about progress in their cases that was not true and slowly lost my way and became a shell of what I had once been or thought I was. I wrote orders for one case that were not true and signed judges’ names to them, many of whom were friends of mine. Again, I was rationalizing.

And then...all at once, my legal world collapsed or shattered in a very public way. It ended. In a moment...it was over. There are of course many more facts of that time in my life, but for purposes of this Manuscript and hour of Mental Health study, that is a thumbnail’s sketch.

I think back often to that time and wonder, “what was I thinking?” I think today how easy it would have been to stay out of trouble, to have continued in the practice of law. But that would have required me to have a mindset of the kind I have today and not the way I was then.

I don’t find many attorneys or anyone in the legal profession for that matter who often raise their hands at meetings or seminars and say “I would be willing to seek professional help.” No, most people are afraid to do so for they consider it weakness to talk with a psychiatrist or psychologist or anyone professionally. There is still a stigma attached to clinical depression or what Dr. Spaulding once referred to as a “cancer of the soul”.

The stigma of seeking help or going to a mental health professional is probably not as bad as it used to be, but we are by no means free from it. Programs by the North Carolina State Bar and bar organizations in many other states are surely though a step forward.

Attorneys are in one of the most stressful professions mankind has ever invented. Every day an attorney goes to work, he or she finds someone who is on the other side, wanting a different result. Rarely are attorneys, on any given issue, all on the same side. The search for truth and justice may be good and honorable, but it also can bring collateral damage. That damage is depression, an illness that knows no boundaries of age, wealth or position in life. It can happen slowly, it can take away one’s ability to care or focus, and it can cost a person everything, even a person’s life.

I was found by Dr. Spaulding and another doctor, Dr. Seymour Halleck, a former forensic psychiatrist at the University of North Carolina at Chapel Hill, appointed by the Superior Court in North Carolina during a Hearing in my case, after I was charged with wrongdoing, to be suffering from major

clinical depression. But I am getting ahead of my story, so let me go back to the beginning and tell you of my journey into the world of professional mental health.

I did not believe in psychiatry. I did not think there was anything wrong with me. I thought everyone could pull him or herself up by the bootstraps. So after meeting that first time with Dr. Spaulding, I thought I was done. I was shocked when she told me she wanted “to buy another hour of my time” the following week, and dumbfounded when she finally told me after a number of sessions that she thought I was suffering from major depression.

Because I had been a prominent and well known attorney in North Carolina, she, and my lawyer friends Wade Smith and Rick Gammon, thought I was a prime candidate for suicide. I was getting ready to take a steep public fall, all in a single moment. They wanted me to be safe. They wanted me locked up. Now, just seeing a doctor was not enough. They recommended strongly that I voluntarily go into a mental hospital.

I did not want to go. I argued back. I did not think that was necessary, I thought it was over the top. Finally, after meeting with Dr. Spaulding, my attorneys, my family, all of whom supported the decision to go to a hospital, I went, on a cold Monday in late January, 1993. I stayed at Duke Hospital for a week. I would have stayed longer, but insurance would not cover but so much.

After being released from the hospital, I met almost daily with Dr. Spaulding for more than a week. Finally, she gave me her opinion of my medical condition. This is a summary of what she said was wrong with me:

- A disorder of sleep
- A disorder of appetite
- A disorder of movement (close to manic depression)
- A disorder of mood
- A disorder of thinking (psychotic features, though not psychotic)
- Walking around nervous breakdown
- A small stroke...caused by stress (backed up by two MRI'S) - Cholesterol level was over 300
- A break with reality
- A major depressive disorder
- Dr. Halleck added later a diagnosis of a severe personality disorder of trying always to please people, of not saying no...so bad that it was crippling.

I was put on Prozac...a lot of it...about four times the normal daily amount in an attempt to stabilize my life and thoughts and mood. And for a short time I was on lithium. That turned out to be a good

thing because that year I turned in license to practice law, was under a criminal investigation by the State Bureau of Investigation, indicted by the local county Grand Jury, pleaded guilty to all charges with no plea bargain agreement of any kind and finally sentenced to three years in prison, with work release, though that turned out to be about three and one-half months.

I saw Dr. Spaulding until the mid-1990's on a regular basis. She thought, and so she told me, that I would never really get well, that I would be on medication for the balance of my life, and that I would need intensive psycho-therapy forever.

On this, Dr. Spaulding was wrong. I have not seen her professionally other than a couple of times in all the years since 1995. I have not been on medication since that time. The last time I saw Dr. Spaulding she said she could not give me a medicine prescription because she did not think I needed it...there was no longer anything wrong with me. She openly wondered how I got better.

Getting better took a long time out of my life. At first, I am sure I was in denial. I am sure the people who knew me then would not have thought I was depressed in any way. I smiled a lot...seemed happy, and in control of my life and my emotions. I was not like the person in "House of Cards". At least on the outside.

I have spoken to lots of lawyers, paralegals and law students over the past years. On occasion, someone will come up to me after my presentation is over and whisper to me, " I needed to hear what you said today", or in general, you don't know how close I am to what you described, or my spouse or child or someone whom I know has similar problems.

I remember these times –

- A general sense of not being happy with myself or my life
- Going through the motions of practicing law or living
- Putting tasks off
- A total lack of focus
- Not being happy with others, yet pretending to be
- Daydreaming of wanting to be somewhere else or someone else
- Not following through as I should
- Taking the easy way out...way too much
- And I do remember looking out the window a lot, but only when I did not think anyone would see

Why should you or anyone in the legal profession care about mental health issues in general or depression in particular? I have often heard attorneys in North Carolina say they have no problems in this area and don't like the Bar requirement of taking one hour of Continuing Education on it or substance abuse every three years.

In recent years I have been asked to speak to lawyer groups and associations in a number of states from New Mexico to Oklahoma to Iowa to Kentucky to Virginia to Atlanta and most often in both

North and South Carolina. What I have found is that people are the same everywhere, regardless of where they might live and practice law.

Depression and mental health illnesses are universal. Depression can strike anyone, regardless of age or profession. It is an equal opportunity disease.

At the same time, attorneys are in a unique position to see the results and consequences of this illness up close. It can impact your law firm, your family and /or your clients.

If I were practicing law today, I would look closely at myself and other attorneys in my law firm as to how clients are being treated, whether work is being done on time, whether there are unexplained absences, are there too many postponements of court filings and complaints from a lack of communication with clients. If there are, then a red flag is being raised, and one that should be considered.

Several years ago when I was speaking at the North Carolina District Attorney's Conference in Asheville, the Executive Director of the Bar Association told me that North Carolina averaged one attorney suicide per month. These statistics may have changed recently but in many states I believe attorney suicide is a real problem.

In recent weeks, dating back to mid – May of last year (2013), I have been told by people who have attended my programs of more than five suicides, from family members to work associates to friends.

Ross Douthat, writing recently in the New York Times, said that “over the past decade, the United States has become a less violent country in every way save one. As Americans commit fewer and fewer crimes against other people's lives and property, they have become more likely to inflict fatal violence on themselves...The suicide rate for Americans 35 to 54 increased nearly 30 percent between 1999 and 2010; for men in their 50's it rose nearly 50 percent. More Americans now die of suicide than in car accidents, and gun suicides are almost twice as common as gun homicides.”

In a May 22, 2013, online edition of Newsweek magazine, the cover story was titled “The suicide epidemic – why are we killing ourselves and how do we stop it?”

A chaired professor of Florida State University, whose father was a Marine yet took his own life, has made a life study of suicide and its causes. His conclusions are that often three elements are present when suicide occurs.

1. Aloneness – not feeling connected to anything or anyone that is good, be it a person, family, church or even a law firm. He told the story of a man, who had left a note, saying he was going to jump off the Golden Gate bridge but would not do so if while he was walking there, anyone looked at him and smiled. No one did, and he jumped to his death.
2. Being a burden to someone else – not being productive and able to care for one's self.
3. The willingness or ability to carry it out – don't be misled by this because the imagination can think of countless ways to end a life.

Any of these three situations might not be considered as serious as to be life threatening, in and of themselves. However, taken together as a whole, there can be great risk of harm to someone.

Twice I considered taking my own life during my fall as an attorney. Neither time did I try to act beyond thinking and even talking about it. For a long time, I was not sure why I had chosen to live other than the basic desire not to die. Looking back today, it is clear that I was not completely alone, and that I was working hard on learning to be productive again.

Just to bring this home, in late January of this year, I was invited to speak to two separate Inns of Court in Covington, Kentucky and Cincinnati. The night before I left for Kentucky, CNN had a short special on the subject of attorney suicide in Kentucky. That was the topic of the discussion the following day.

It has now been more than twenty years since I first saw Dr. Spaulding and crashed my legal career

. Sometimes there have been struggles and disappointment. I have not always succeeded. I have not always done my best. But slowly over time, I have learned to be happy, to have finally found my niche and purpose in life. And slowly, I have gotten better at being a person.

Attorneys and anyone can take the test on depression, which is at the end of this Manuscript and see for themselves in private how they are doing. But for it to be worth anything, you must take it honestly. And you must seek help or talk to someone if you think you should. It was the best thing I ever did, but if it had been left to me, I would never have done it at all. I had too much pride, too much prejudice and quite simply too much small mindedness to seek the help I needed. I am so grateful there were others who directed me to do what I had to do.

I still remember one of the first times I ever saw Dr. Spaulding and listened to her as she asked me two questions. The first one was “when was the last time I was carefree and happy”, and the second was “what in my life was in Technicolor and what was in black and white?” My answers then were not very good.

What though can someone do to improve the quality of his or her life and career, so as to avoid the illness of depression or its consequences? For every person you ask, you might get a different answer. These though are my thoughts –

- Find out what makes you happy and do your best to do that
- Figure out your talents and use them
- Learn to live within your means, both personally and financially
- Be kind or nice to people – remember the words of Plato that “you should be kind to everyone you meet for everyone is fighting a great battle”
- Try smiling and laughing as much as possible

- Learn the importance of faith and grace
- Find some pleasure throughout the week and not just on the weekend
- Exercise – walking is not expensive
- Talk to friends about how you are doing and feeling
- Admit when something is bothering you
- Most importantly, never put a period at some point in your life where God has only placed a comma

My goal is simple...to keep my life as simple as possible, to be as open and transparent as possible. I got better because once my story became public by way of the news media; I no longer had to worry about keeping it quiet. I could concentrate on getting better, living my life and trying to start over. Once everyone knew the worst about me, then they knew. And I didn't have to think about that as much anymore. I no longer had to wear a mask for there was no reason.

I had been "hiding in plain sight"...even from myself. Only when I came face to face with that was I able to improve. Only when I learned to be open about myself was I able to get well. I believe today that openness and transparency are powerful antidotes to depression. But for many it is very hard, but it is so worth it.

I suppose there is a stigma still to depression and mental health illness, and your friends and co-workers might look at you differently if they know you have such problems. But in the final analysis, who cares? What difference does it really make? All worrying about that can do is to keep you from getting better and living a happier and more productive life.

These notes and my presentation to you are my best efforts at letting you know what I found on the other side of the curtain. I found that life is real, it can be hard work, that there are no guarantees, but it can be so much better if I just did my best.

You may remember the famous line from one of the Star Wars movies long ago when Yoda is telling his young friend how to raise the spaceship, and the friend is having trouble doing it. "There is no try," Yoda said, "There is only do."

Depression –

There are many websites and materials on the website on Depression. You can go to the Mayo Clinic and read their staff reports, check out the directives of the American Psychiatric Association, but you will not find a simpler and easier to read analysis of Depression than what is found on the North Carolina Bar's website under the sub-heading Lawyer Assistance Program.

There you can read about what depression is and even take a test in private to see you are doing. What are the basic symptoms of Depression?

A depressed mood every day

Less interest in activities

Weight loss or gain when you are not trying

Agitation or feelings of restlessness

Difficulty in sleeping – either too much or not enough

Fatigue or loss of energy

Feelings of worthlessness or excessive guilt

Lack of concentration or focus

Thoughts of death or even suicide

If someone has at least five of these symptoms for at least two weeks or longer, then there is the real possibility that person is suffering from major or clinical depression.

What can someone do immediately - call a doctor and seek help – either a psychologist or psychiatrist

Get in touch with the person's family and get the person support

If someone is suicidal, call 911 and ask for help

What can someone do long term – be supportive, patient and non-judgmental...and optimistic

What can the person do – follow through and get help, go to appointments with doctor, take the prescribed medication if necessary, be optimistic

Tell the doctor the truth, no matter how bad or tough that is

There are so many steps a person can do to get better. Always remember, if no one has died, everything can be fixed. And so set out to fix your life.

Try to be happy

Go for walks

Keep a journal and write in it who has been nice to you and what has happened to you for which you are grateful

Simplify your life

Keep list of things to do and cross them off – it will help your self esteem

Never give up