

2021-005

**Supreme Court Rule 40 – Procedural Rules of Committee on Judicial Conduct - Deferred Discipline
December 10th Public Hearing Comment**

November 30, 2021

From: Brian Scott <brian.scottccms@gmail.com>

To whom it may concern,

I am in full support of the Proposed deferred Discipline amendment to Rule 40. As a former practicing member of the Massachusetts bar and a current mental health clinician, I have both lived and treated the strains and stigma attorneys live with. No matter the field of practice (I worked in both criminal and transactional areas), there is tremendous, suffocating pressure upon attorneys to maintain a veneer of perfection. pervasive need to be anything but myself. When I practiced in commercial real estate, I needed to be bigger, more capable, more affable, smarter, than the next associate. I needed to hold and build relationships for the benefits of clients and partners. I lost sight of myself and what my values were. I needed to be the smartest person in the room. Consequently, the pressure to be perfect at all times was too intense. It brought with it intense anxiety, panic attacks and a back breaking, cratering depression. The weight of despair was hidden under the synthetic plasticity of nice suits, high salaries and alcohol fueled client dinners and parties. It's a world where asking for help is seen as weakness.

The amendment to Rule 40 serves as a paradigm shift in that it brings resources to passionate, capable, and strong attorneys in New Hampshire who live in fear every day of being "discovered," "found out" and further self stigmatizing labels. Prior generations of attorneys, mine included, may have viewed the strains and pressures of being an attorney as a badge of honor, but the newer generations have it right: being open and honest about our mental health challenges as attorneys makes the profession more inclusive and safer for attorneys and clients alike. Had a mechanism like this existed when I was practicing, it is more than likely I would have stayed in the profession.

Best,

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