



AMC 2026

Session 4

**What Could Go Wrong?
Lawyer Strategies for
Surviving Practice-
Threatening Problems**

Presented by:

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Moderated By:

*Amber Ault
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About the Presenters...

A writer, sociologist, and mental health clinician, **Amber Ault** specializes in helping lawyers and the teams who support them practice with balance, excellence, and resilience. She recently completed 2.5 years as the manager of the Wisconsin Lawyer Assistance Program, and now focuses on offering consulting services to lawyers and LAPs, training mental health workers on supporting legal professionals, and writing a book on the extraordinariness of lawyers and the kinds of support that helps them keep going. Find her at counselortocounselor.org.

Melynda Benjamin, J.D. is an attorney and founder of DiaMetric Consulting Group LLC. She has over 20 years of experience in the legal profession, with a background that includes work in public defense and specialty courts. Her professional focus centers on process design, administrative efficiency, and professional demeanor skills for legal practitioners. Melynda earned her Juris Doctorate from Northern Illinois University and her Bachelor of Science from Southern Illinois University.

Jessa Victor (J.D., UW Law School 2016) is a Shareholder at [Hawks Quindel, S.C.](http://HawksQuindel,S.C.) in Madison, where she leads the firm's plaintiff-side litigation practice in employee benefits. She has represented individuals denied short- and long-term disability, health, life, and retirement plan benefits, and has litigated successfully in Wisconsin state courts, U.S. District Courts, before the Seventh Circuit, and beyond.

Christopher T. Van Wagner, a solo criminal & OWI defense attorney statewide since 1994, left Cornell Law 1981 as a directionless, unapologetically aggressive fan of the East Coast – only to make Wisconsin his home in 1991. In the last 25 years, Chris faced (and overcame) deep family mental health and addiction issues and ensuing financial straits. He has lost many jury trials, probably more than you, but other losses hurt far more: in just the last decade Chris lost his oldest child to heroin just past her 29th birthday, then last August lost his closest lawyer friend, then only 42, to shockingly sudden medical death. He has become a support for many by choic

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Learning Materials

Discussant: Amber Ault, Ph.D.

Panelists: Melynda Benjamin, JD; Christopher Van Wagner, JD; Jessa Victor, JD

What Could Go Wrong?: Lawyer Strategies for Surviving Practice-Threatening Problems

Every investigation of lawyer mental health confirms high rates of trauma, anxiety, depression, and substance abuse across the roles associated with the profession. See, for example:

Krill, P. R., Johnson, R., & Albert, L. (2016).

The prevalence of substance use and other mental health concerns among American attorneys. *Journal of Addiction Medicine*, 10(1), 46–52. [[Lawyer suicide risk | Word](#)]

Nickum, M., & Desrumaux, P. (2022).

Burnout among lawyers: Effects of workload, latitude and mediation via engagement and over-engagement. *Psychiatry, Psychology and Law*. Advance online publication. [[psycnet.apa.org](#)]

Soon, L., McDowall, A., & Teoh, K. R. H. (2023).

Towards a context-specific approach to understanding lawyers' well-being: A synthesis review and future research agenda. *Psychiatry, Psychology and Law*, 31(3), 550–573. [[pmc.ncbi.nlm.nih.gov](#)]

Some theorists posit that these challenges reflect the intersection of personality patterns common to lawyers and the specific structures and strictures of the profession:

Ault, A. (2024, October 4).

The Lawyer's Journey: Asking leopards to change their spots: Can lawyers change? Should they? Wisconsin Lawyer, 97(11).

Daicoff, S. S. (1997).

Asking leopards to change their spots: A critique of solutions to professionalism by reference to empirically derived attributes. Georgetown Journal of Legal Ethics, 11, 547–610.

In addition to the ways personality and professional performance particularities may contribute to lawyer distress, emerging research suggests that high rates of neurodiversity among lawyers may also complicate lawyers' sense of under-performance, failure, and frustration. A recent article in *Wisconsin Lawyer* highlights this concern:

Benjamin, M. L. (2026). *Navigating executive function in modern law practice. Wisconsin Lawyer*, 99(5), 43–47. [[wisbar.org](https://www.wisbar.org)]

While these structural elements of the practice of law and the characteristics of lawyers themselves are stable elements of the professional hazards for legal professionals, idiosyncratic experiences in the lives of lawyers and judges also contribute to lawyer distress and professional risk. Lawyers often experience these challenges --- serious illness, marital problems, financial strain, personal losses --- “behind the curtain;” assuming that revealing these struggles or seeking help in navigating them is unprofessional, professionally risky, unnecessary, or pointless. Lawyers “don’t ask for help because we are the help,” they say.

As a result, the profession may under-appreciate the ways in which anxiety, depression, stress-related illness, and trauma symptoms (such as sleep difficulties, over-work, isolation, and irritability) serve not prima facie as “disorders of the person,” but, instead, as signals of suffering in isolation from undisclosed or under-supported idiosyncratic problems --- many of which can be mitigated in some measure through emotional, psychological, skills-centered, or legal antidotes and remedies.

The Wisconsin State Bar has produced a series of recorded interviews with lawyers discussing challenging situations they have faced, in an effort to normalize conversations about a host of situations lawyers and judges may encounter in their personal lives:

Ault, A. (Host). (2025, January 28).

Episode 1: From Montgomery to Milwaukee – The journey of lawyer Lindsey Draper (No. 1) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[lawshun.com\]](http://lawshun.com), [\[psycnet.apa.org\]](http://psycnet.apa.org)

Ault, A. (Host). (2025, April 17).

Episode 2: Drinking behind closed doors, after billable hours – Attorney April Toy’s recovery story (No. 2) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[moral injury lawyers | Word\]](#)

Ault, A. (Host). (2025).

Episode 3: Jennifer Lee Edmondson’s cancer diagnosis and treatment journey (No. 3) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[lawshun.com\]](http://lawshun.com)

Ault, A. (Host). (2025, October 30). *Episode 4: From fields of coal to the fields of law: Work-life integration and family with Aviva Kaiser* (No. 4) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[lawshun.com\]](http://lawshun.com)

Ault, A. (Host). (2026, December). *Episode 5: Governor Schreiber on Alzheimer’s Caregiving* (No.5) In *Listening to Lawyers*. State Bar of Wisconsin. [\[acc.com\]](http://acc.com)

Ault, A. (Host). (2026, March 17). *Episode 6: How trauma shapes judicial practice – Insights from Judge Jennifer Dorow* (No. 6) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[acc.com\]](http://acc.com)

Ault A. (Host) (May 2026): *Episode 7: Ethics in the crosswalk: Dean Dietrich on a living after a pedestrian fatality.* (No. 7) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[acc.com\]](http://acc.com)

Ault A. (Host) (May 2026): *Episode 8: Rules of law, rules of persistence at home and abroad : Marine veteran Robert Maniak on the echoes of service in civilian*

practice (No. 78) [Audio podcast episode]. In *Listening to Lawyers*. State Bar of Wisconsin. [\[acc.com\]](#)

Ault A. (Host) (May 2026): Episode 9: Recovery and reinvention after a mid-career hiatus: Patricia Mckinney-Lins. In *Listening to Lawyers*. State Bar of Wisconsin. [\[acc.com\]](#)

What becomes clear when lawyers tell their stories is how much they carry, professionally and personally, and how often they suffer in silence. Law school trains attorneys for exigencies of practice, but not for the exigencies of the body or the psyche or the social world ---the illnesses, the accidents, the financial crises, the dramatic moments of familial or governmental collapse or reconfiguration. It is almost as if there is an assumption of that lawyers operate in a field free of the corporeal, social, and financial forces that affect other human beings.

In today's presentation, however, the focus is on the tools that lawyers can use when they discover themselves in unanticipated circumstances --- whether in their careers or in personal situations that have potential to affect their professional security and success. Using insights from applied coaching for lawyers, firms, and agencies, employment law, and lived experience, panelists are prepared to offer knowledge that will allow participants to expect the unexpected and respond to unwelcome developments with greater skill, confidence, and power.

The resources below provide support for this presentation:

Benjamin. M. (May 2026). The Focused Advocate: Free Webinar Series from WisLAP

[Wisbar Marketplace - Product](#)

Victor, J. L. (2025, June 6).

Mind the gap: Legal hurdles to securing long-term disability benefits for mental health claims. Wisconsin Lawyer, 99(2). [\[wisbar.org\]](#)

Victor, J. L., & Ault, A. (2025, October 3).

The Lawyer's Journey: What legal professionals ask about accessing mental health care. Wisconsin Lawyer, 99(5). [\[wisbar.org\]](#)

This session will provide participants with solid strategic, psychological, and legal guidance to use in preparing for the unexpected, and for responding to exigencies or helping colleagues navigate them --- when they do arise.