



# De-stressing

Feel like you're working  
in a pressure cooker?

You're not the only one.

BY WILLIAM E. LIVINGSTON

**I**n the early 1980s, the issue of a diminished quality of life among attorneys began to be explored. Several legal publications of that time were regularly presenting commentaries on the subject. On the heels of these observations, a number of key studies were undertaken by various professional groups. As a whole, these studies showed a significant decline in attorney job satisfaction.

The first was a 1984 study conducted by the American Bar Association's Young Lawyers Division.<sup>1</sup> In this study, 2,300 attorneys completed a random, in-depth survey designed to measure occupational satisfaction. Results indicated that 15 percent of the respondents were dissatisfied with their occupations. It was also observed that of the attorneys who reported job satisfaction, they, in turn, reported high levels of stress and day-to-day pressures.

the Profession

In 1990, the Young Lawyers Division<sup>2</sup> conducted a follow-up study. It documented a 27 percent increase in job dissatisfaction over the study conducted six years earlier. Temple University<sup>3</sup> conducted a similar study of 1,200 attorneys in 1992 and reported an overall 23 percent job dissatisfaction rate for the attorneys surveyed.

Most notable of these early initiatives was a 1991 ABA conference entitled "At the Breaking Point."<sup>4</sup> An ensuing ABA report concluded, "there is a growing trend in the legal profession that if left unchecked, threatens the well-being of all lawyers and firms in every part of the country."

While these studies and surveys were measuring fallout after a significant period of practice, a 1986 University of Arizona study suggests that the overall mental health of some attorneys diminishes early on following immersion into the legal culture.<sup>5</sup> The study concluded that upon entering law school, first-year students had no more psychopathological symptoms than the general public. By the end of the spring semester, however, they possessed higher than average depression, anxiety, hostility, and paranoia rates. For many lawyers, it seems the stage is set early for future psychopathological fallout. There is incontrovertible and quantitative evidence suggesting that the inherent stressors associated with practicing law may lead to a diminished quality of life.

What makes the legal profession so stressful? Why are divorce rates higher, alcoholism and drug abuse more prevalent, and the incidence of depression and suicide staggering? Mary Ann Glendon's 1994 work *A Nation Under Lawyers*<sup>6</sup> poses the question, "Why are so many lawyers so sad?" While life and work for many today may seem more stressful than in past times, specific characteristics of practicing law seem to accentuate stress levels. Work overload, competition, dealing with difficult people, and time pressures are stressors found in many professions. Unique to law, however, are legal role conflicts, an adversarial system of justice, and certain areas of practice with a more pronounced level of conflict.

By all accounts, it is much different to be a lawyer today than 20 years ago. Then, attorneys were able to operate in a more proactive manner regarding their practice, where

today it is a more reactive environment. Many attorneys feel that they only have time to put out one fire after another. Add to the mix legislative changes, tort reform, keeping abreast of technological advances, electronic filing, appearances, and so on—all leave attorneys having to adapt to a significant amount of change in the way they practice.

In larger firms, human values and relationships have often taken a backseat to business. A pendulum effect occurs in which a corporate mentality prevails and the bottom line is the profit margin. Attorneys regularly express that they feel their value to their firm is based *only* on the billable hours they produce. Estimates suggest that a conservative expectation would be for each attorney to produce 1,800 billable hours per year. Broken down, this translates to a minimum of 7 hours a day, 5 days a week, 52 weeks a year. This does not take into account the time a typical attorney must devote to administrative tasks, networking, meetings, interviewing new candidates, and so forth. It is estimated that to bill 7 hours one must actually work a total of 9–12 hours.

The coping mechanisms of each attorney will determine how well they navigate these challenges. In attorneys negotiating life crisis, there exists a phenomenon referred to as "psychic battering," which is "a continual condition of conflict-inducing happenings."<sup>7</sup> As with any other culture, in law there are cultural norms, standards, do's, and don'ts. Lawyers are advised early in law school that to thrive in the culture of law practice, they must begin a process of separating their senses. Personal values, morals, feelings, and emotions are discouraged as they relate to the "letter of the law." Detached logical reason-

ing is encouraged as necessary to maintain an appropriate and objective position.

While the benefits may be apparent, there is a down side. To keep this posture, one must deny an essential human experience: feeling and processing emotion. This is where, many times, the attorney begins to get into trouble. Denying oneself one of the essences of being human, in any degree, for any length of time, will provide for detriment.

Psychic battering not only permeates the legal culture but it is also seen with police officers and many types of health care professionals, such as pediatric surgeons and emergency room physicians. In these professions, denying the self emotionally for any length of time without appropriately processing emotion can be the difference between being effective or being a liability.

While one may be able to hold this aspect of self at bay for significant periods of time, there is fallout. The stress will manifest itself in some type of reaction ranging from mild dysthymic disorders to major clinical depression. To cope, at least temporarily, many turn to alcohol and other mind-altering substances. Some may use prescription medications, which help symptoms but not the underlying problem. This may culminate in addiction.

The challenge facing today's attorneys is "incorporation." Attorneys must incorporate all of the good within the culture of law, and there is plenty, but also add new awareness. In a 1995 book entitled *Emotional Intelligence*,<sup>8</sup> psychologist Daniel Goleman suggests that emotional intelligence is as much a predictor of success as intellectual savvy. Goleman takes issue with the way we sometimes confine our measurements of ability to academic attributes and suggests that this

## Fast Facts:

**EVIDENCE SUGGESTS THAT THE INHERENT STRESSORS ASSOCIATED WITH PRACTICING LAW MAY LEAD TO A DIMINISHED QUALITY OF LIFE.**

**ATTORNEYS REGULARLY EXPRESS THAT THEY FEEL THEIR VALUE TO THE FIRM IS BASED ONLY ON THE BILLABLE HOURS THEY PRODUCE.**

**CONFIDENTIAL ACCESS TO THE MICHIGAN LAWYERS AND JUDGES ASSISTANCE PROGRAM IS AVAILABLE SEVEN DAYS A WEEK AT (800) 996-5522.**

# Attorneys regularly express that they feel their value to their firm is based only on the billable hours they produce.

focus is too narrow. The qualitative aspects of ourselves, such as self-awareness, empathy, determination, social skills, motivation, and impulse control play an equally important role in determining success. Assimilating the intellectual and emotional self is the true catalyst for success.

The State Bar of Michigan has supported the concept of lawyers and judges assistance since the late 1970s, when the Lawyers and Judges Assistance Committee was first formed. Currently, the Michigan Lawyers and Judges Assistance Program administers to the needs of Michigan attorneys, judges, and law students. The program is staffed by highly trained professionals experienced in dealing with specific populations.

The program is based on confidential interaction. We report nothing regarding these confidential interactions to any entity within the State Bar structure. Much of our initial interaction is in the form of assessment and referral to various treatment providers around the state. The program continually makes ef-

forts to identify those treatment providers who are familiar with the legal culture and can thus provide a more effective treatment experience.

The program offers group presentations at law schools, local bar associations, special bar associations, and so on. The only fees associated with services provided by the program are minimal fees collected for interventions and attorney monitoring.

Confidential access to our program is available seven days a week at (800) 996-5522. We can also be reached in Lansing at (517) 346-6306 or through e-mail to the author at [blivingston@mail.michbar.org](mailto:blivingston@mail.michbar.org). ♦

*Bill Livingston is a licensed psychologist residing in southeast Michigan. Livingston has been with the State Bar of Michigan coordinating the Lawyers and Judges Assistance Program since 1999. Prior to coming to the State Bar, Livingston worked with members of other select professions, most notably police officers and health care professionals. He can be reached in Lansing at (517) 346-6306. The program also maintains a confidential 800 help line available 7 days a week, 24 hours a day, (800) 996-*

*5522. Online go to [www.michbar.org](http://www.michbar.org) and access via the LJAP tab on the State Bar home page.*

## Footnotes

1. American Bar Association, The State of The Legal Profession—1984: Report of The Young Lawyers Division (1985).
2. American Bar Association, The State of The Legal Profession—1990: Report of The Young Lawyers Division (1991).
3. L. R. Richard, Psychological Type And Job Satisfaction Among Practicing Lawyers in The United States (1994; Ph.D. dissertation, Temple University, Philadelphia available through University Microfilms International Dissertation Services).
4. A. Elwork and G. A. H. Benjamin, *Lawyers in Distress*, 23 *The Journal of Psychiatry and Law* 205 (1995).
5. G. A. H. Benjamin, A. Kaszniak, B. D. Sales and S. B. Shanfield, *The Role of Legal Education In Producing Psychological Distress Among Law Students and Lawyers*, *American Bar Foundation Research Journal* 225 (1986).
6. Mary Ann Glendon, *A Nation Under Lawyers* 15 (1994).
7. Machell, D. F., *The recovering alcoholic police officer and the danger of professional emotional suppression*. *Alcohol TreatQ* 1989; 6(2): 85-95 (ADAT jl).
8. Daniel Goleman, *Emotional Intelligence* (1995).

