

Thriving (and surviving) in the legal profession

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In an illuminating novel about lawyers and law firms entitled *Pleading Guilty*, Scott Turow wrote:¹

"A large law firm is basically organized on the same principles as a Ponzi scheme. The only sure ingredients of growth are new clients, bigger bills, and – especially – more people at the bottom, each a little profit center, toiling into the wee hours and earning more for the partnership than they take home."

Any lawyer reading this article will have a fair idea that the reference to "profit centers" is the young professional who toils arduously "at the bottom of the food chain", handling the mountains of work generated by big lawsuits and mergers, feeling anonymous and disposable ... Is this what law school prepared us for?

Lawyers are not like other people

Research suggests that lawyers are unique. Not only do they differ from other professionals but they also differ from the general population.² Lawyers seek achievement over power and affiliation and do this by being competitive, driven by internal and external standards of excellence. Lawyers are also often materialistic, having lost their idealism somewhere during law school. Testing by the Myers-Briggs Type Indicator reveals an unusual profile for the typical lawyer: namely, a predisposition towards the personality dimensions of intuition, thinking, judging and introversion. Lawyers tend to be conventional and guided by a rights-based morality. Interpersonal dimensions such as emotional concerns are often of less importance.

Many of these characteristics attract lawyers to the legal profession, sustain them through law school and are often valued and even encouraged within the legal profession. Despite this, many lawyers are dissatisfied with their work and contemplate a change within the first five years of professional life. A poll conducted in the United States found that 52% of lawyers considered themselves "dissatisfied". A Johns Hopkins University study indicated that lawyers are the most depressed



group of professionals in the United States.³ Unfortunately, in Australia we are no different. A 2004 Young Lawyers Survey indicated that 52.5% of the young lawyers surveyed did not see themselves practising law in five years' time.⁴ Why, then, do lawyers invest so heavily in a career that ultimately proves disappointing for so many?

Why it gets tough: The paradox of success

The very attributes typical of lawyers and seen by them as the foundations of professional success are also related to dissatisfaction and distress. For many lawyers "work is life" and, with an inordinate emphasis on work, unhappiness in the workplace leads to distress in general. Empirical evidence suggests that lawyers experience stress and burnout, depression, anxiety, alcoholism and other forms of psychological problems about twice as frequently as in the general population. Almost one in five lawyers practise law while trying to cope with psychological distress, often attempting to camouflage this in some way.⁵ This is significant not only for individuals, but also for the profession and for clients.

Stress leads to what is known as the "fight and flight response". The adversarial nature of the legal profession only serves to exacerbate this response. Lawyers coping with stress and tension tend to become more aggressive and ambitious. Very often, the lawyers' problems are not limited to work. Research⁶ demonstrates that lawyers who reported being stressed were more likely to be angry, hostile and unhappy with their primary relationships, unable to "switch off" the energy of the hostile environment in which they spend most of their time.

Lawyers are also more likely to feel alone with their problems. The competitive work environment can prevent



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valuable social support. Thus, many lawyers resort to maladaptive coping mechanisms such as alcohol to quell anxiety and the use of recreational drugs to produce a sense of wellbeing. In a nutshell, emotional distress is linked to being focused on extrinsic rewards such as approval from peers and seniors, outward success and public approbation. Job dissatisfaction has been linked to a lack of autonomy, conflicts between personal and career demands, lack of interpersonal relationships in the workplace and an inability to express interpersonal warmth. These problems may be attributed to working environments that foster competitiveness and pessimism among peers and reward extrinsic values such as self-fulfilment and materialism.

Staying the course: Some tips for longevity in the legal profession

1. First and foremost: if you are experiencing workplace stress or some form of psychological distress, remember what you are experiencing is not uncommon. Every fourth lawyer you meet may be experiencing or has experienced some form of psychological distress. Help is available if you choose to access it!
2. Acknowledge distress and dissatisfaction. Monitor your optimal performance levels and be attuned to the symptoms that indicate that you are having problems coping. Familiarise yourself with the symptoms of common psychological problems such as depression, stress, and anxiety. Find out how they manifest behaviourally, emotionally, physically and cognitively. The next time you feel tired, think about your sleep patterns in the last few days; or, when you reach for that drink, stop for a moment and reflect on how many you have had that week!
3. Use competitiveness in a positive way, not "willy-nilly". Foster supportive peer relationships; a supportive environment will help you manage a demanding career.
4. Develop personal supports outside your work environment, with whom you share similar interests, goals and career aspirations. They can be a valuable resource in helping you develop your intrinsic and extrinsic goals. Being part of a community has been shown to be fundamental to happiness and quality of life.
5. Set achievable goals and expectations for yourself. Meeting your goals will give you confidence and energy. Unrealistic goals will result in a sense of failure. Appraise mistakes in a positive way and use them to learn and improve.
6. If possible, diversify your practice. This will keep you stimulated and decrease performance anxiety.
7. Seek professional help if you get stuck. No prizes are awarded for doing it on your own, and you may save valuable time by consulting an appropriate professional.
8. More globally, look for meaning and passion in your work. Do not easily forsake your youthful idealism because it can and will sustain you.

1. S Turow (1993), *Pleading Guilty*, New York: Farrar, Strauss & Giroux, 54.
2. S Daicoff (2004), *Lawyer, Know Thyself*, Washington DC: American Psychological Association.
3. M Naylor and T Partners (2004), "Depression in Lawyers", *Brief*, October, 12-14.
4. J McConvill and R Edney (2006), "Less Marble Tiles...More Happy Smiles: Saving the practice of law", Submission, 7-12, at <http://www.thesubmission.observationdeck.org/>.
5. Note 2 above.
6. C Beck, B Sales & G Benjamin (1995), "Lawyer distress: alcohol related concerns among a sample of practicing lawyers", *J.L. & Health*, 10(1), 18.