

# Finding the happy lawyer within

**Stress, depression and anxiety among lawyers – especially those with little control of their day-to-day workload – is on the rise. Simon Price explains how to boost morale and identify fee-earners' strengths**

**'Happiness is the meaning of life and the purpose of life, the whole aim and the end of human existence.' Aristotle was right, so how can it be that lawyers are so unhappy?**

Two recent studies in North America and the UK confirm that lawyers are among the unhappiest of professionals. Another report by LawCare, which provides advice to lawyers, found that in 2004, they helped record numbers (up 26%) with problems such as depression, stress, anxiety, and alcoholism (see [2006] *Gazette*, 30 March 1).

Paradoxically, in 2005, a record number of students (13,504) signed up to study law, while numbers on the legal practice course rose by 9%. That year also saw the number of practising solicitors top 100,000.

The law as a career does not seem to put people off. Once these students qualify, they can expect salary levels in the City starting at £50,000, so the financial rewards are there.

But lawyer attrition levels are rising and City firms are beginning to introduce different career structures in an attempt to get these rates down.

So what happens to people once they qualify to make them so unhappy? The law is a stressful profession. Long hours are the norm, with lawyers routinely working till 8-9pm, even through the night if they handle corporate work. Add the lack of time to exercise and eat properly, and ill-health, stress, burn-out and depression ensue. However, stress and depression are symptomatic of unhappiness and not causative.

Why bother about happiness? Because it matters – not just on financial and productivity levels, but perhaps most importantly on emotional and social levels. A 2005 study concluded that overall happy individuals are more satisfied with their family life, their romantic relationships, their friends, their health, their education and their jobs, their leisure activities, and even their housing and transportation, compared to less happy peers. The researchers concluded that happiness leads to successful outcomes.

What does this mean for the legal profession? It illustrates what many people believe anecdotally – that people do not go to work just for the money and status. Those reasons are simply not enough. People strive for what has been called self-actualisation, an instinctual need to make the most of their own unique abilities and to strive to be the best they can be.

In a recent study, Professor Martin Seligman identified three possible reasons for lawyer unhappiness: pessimism, low decision latitude and the so-called 'win-loss game'.

Pessimistic lawyers do better than optimistic lawyers. To see troubles before they arise and to foresee every potential disaster are traits that are valued in a lawyer. However, such traits then overflow into other areas of a lawyer's life, and pessimism in any other realm of life is not good.

Low decision latitude refers to the number of choices lawyers believe they have. It can be a particular problem for junior lawyers, who have limited choices in high-stress environments. Often, in the early years of practice, young lawyers are isolated from clients, with only limited contact with their superiors. A heavy workload combines to make the lawyer feel that the choices they have are limited if they are to progress towards partnership.

The adversarial nature of the English legal system, meanwhile, opens up a win-loss game at every turn, in which winning is more important than justice and fairness. The win-loss mentality is systemic and becomes ingrained in the people who work within it. Added to this is the need to bill incessantly to improve the bottom line.

This creates an atmosphere where the pursuit of the common good is sidetracked. The compensation and blame culture that is developing – where 'nothing is my fault' – prevails, and it attracts lawyers to it. The failure to take personal responsibility creates a culture where win-loss proponents prosper. Prof Seligman believes the win-loss personality trait is the deepest cause of lawyer unhappiness.

So what can be done to turn around lawyer unhappiness?



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Firstly, firms need to make a commitment to improving the happiness of their lawyers. Happiness is a subjective value that can be objectively measured; people view happiness in different ways. Prof Seligman suggests that it is important to understand a person's strengths and to develop those strengths, rather than make them work on weaknesses.

To counter pessimism, he suggests using adaptive pessimism – the ability to use the skill of pessimism in the right context – together with optimism in other areas of life. Getting rid of thoughts like 'I'll never make partner' is helpful in cultivating flexible optimism and can have positive effects on morale.

Pressure is an inevitable consequence of practising law. Giving lawyers more decision latitude can make them feel more satisfied. Give them more control over their working day. Reduce repetitive tasks. Allow junior lawyers to see the whole picture by meeting clients, allow them to be mentored by senior lawyers and get them involved in pitches.

A longer-term solution is to identify the 'signature strengths' of your lawyers. Each lawyer you employ will be intelligent and have high verbal and reasoning skills. But each lawyer comes with unused strengths that have not been developed, such as emotional intelligence, leadership, enthusiasm and social intelligence.

Take time to develop each person's signature strength each week. When people feel that they use their particular strength, they feel respected, and their morale increases. As Prof Seligman points out: 'There is a clear correlation between positive emotion at work and high productivity.'

Law firms have to act before lawyer unhappiness reaches epidemic proportions, and depression, stress and ill-health become the norm. By taking action, law firms can increase the social and emotional well-being and happiness of their lawyers, which in turn helps to increase productivity and the bottom line. What law firm wouldn't want that?

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