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A Qualitative Examination of Self-Care in Lawyers

by Mary E. Wood, Jacklyn E. Nagle, M.A., and Pamela Bucy Pierson, J.D.

Don't miss the consultant responses at the end of this article: Andrew M. Sheldon and Alison K. Bennett.

"I honestly don't have a strategy. My goal is simply to make it to bed every night. And typing this makes me think this is something I should probably address!"

—Anonymous Alabama Lawyer

IT MAY SEEM OBVIOUS that self-care is important for well-being and success in life. However, self-care is not always practiced when work, bills, and other issues come into play. All individuals experience stress in their lives, but not all have identified specific strategies to adaptively cope with stress. Recent research has established the negative implications of work-related stress on well-being. Workplace stress includes workload, long hours, and demanding conditions (Cooper, Dewe, & O'Driscoll, 2001). Although many different occupations experience workplace stress, one of the most challenging and

strenuous workplace environments is the practice of law.

Lawyers may be particularly prone to stress and burnout in their careers (Kobasa, 1982). Research has noted that lawyers are particularly prone to psychological distress and maladaptive coping mechanisms (Beck, Sales, & Benjamin, 1996). Data have suggested lawyers have higher rates of depression and substance abuse than the general population (Rothstein, 2008). Impairment in lawyers due to poor well-being can lead to counterproductive actions and pose concern based on their important societal roles. This is especially problematic as their professional services often influence important matters in others' lives (Rothstein, 2008). In addition, part of practicing law includes the element of helping others and there is a paradoxical relationship with stress since helping, when either ineffective or even successful, leads to increased levels of stress. Based on the potential risks involved when lawyer well-being deteriorates, the need for self-care with these professionals is crucial.

Recent research findings by Joudrey and Wallace (2009) have suggested that leisure is an effective coping resource for law firm lawyers. However, leisure that was passive in nature was

not significantly effective in reducing psychological symptoms like depression. These passive and ineffective activities included watching television, reading, going to the movies, or working on hobbies at home. On the other hand, active leisure and social leisure were positively related to mental health in lawyers. Active leisure included working out at the gym, running/jogging, walking, playing sports, and cycling. Social leisure included frequency of visiting others, talking with others, eating out with others, or going to community or church meetings. The study also found that taking a vacation was also influential in reducing symptoms of depression in lawyers as well.

Additional investigations are needed to better understand the adaptive coping strategies and leisure activities involved in the self-care of practicing lawyers. Previous studies have been limited in utilizing self-report item ratings in order to measure self-care tactics. Qualitative research allows for a richer and deeper analysis by gathering data via open-ended questions. Rather than using quantitative collection methods with limited items, qualitative data collection offers participants with an opportunity to provide individualized, unique responses.

Given the importance of self-care behavior and effective coping (particularly in high stress jobs), we thought it important to investigate the prevalence of stress in practicing lawyers along with data on the primary methods of coping on which they relied and meaning derived from work. Participants, practicing lawyers, were recruited from the Alabama State Bar Association. Of the 93 lawyers who responded to the online survey, the majority were Caucasian and married. The age of participants ranged from 26 and 65 with an average age of about 42. Most participants had children and had been practicing law anywhere from one to 41 years.

Each participant completed the Perceived Stress Scale (PSS), a 10-item measure of levels of stress in one's life. Scores ranged from 4 to 35 (out of a possible 0 to 40 points) with an average score of 18.98 (SD = 7.42); higher scores indicative of more chronic levels of stress. Items on the Perceived Stress Scale (PSS) reference the level of uncontrollability and unpredictability of one's life. Results suggested average levels of stress overall.

Participants were asked an open-ended question about the methods with which they coped. Of the 81 participants who responded to this question, 140 responses were generated and categorized into 20 unique groupings. A total of 25 participants indicated exercise is a strategy they use to cope with stress. Nineteen participants reported they engage in a fun activity (e.g., golf, go to a concert, read) while 12 individuals identified faith and/or prayer as a method of coping. Of interest, and of potential concern, nine individuals identified alcohol use as a method of coping while another nine identified eating as a coping mechanism.

These coping strategies were categorized according to the active, passive, and social groupings investigated by Joudrey and

Wallace (2009). For participants who identified multiple coping strategies, the first listed strategy was used to categorize the response. For example, the participant who responded "exercise and talking with people" was categorized as Active. This new created variable was used as a grouping variable to investigate differences in perceived stress among groups. The model was not significant ($p = .82$), suggesting that perceived stress did not depend on method of coping, as measured in this study.

In addition to coping, we were interested in the meaning one derives from the job. This was investigated as meaning derived from work may lessen levels of perceived stress, or result in more adaptive methods of coping. Of the 83 participants who responded to a qualitative item regarding the meaning they receive from the job, over half (60%) responded "helping people," or some variation of that response. Various other responses included reference to problem-solving or using one's wits, winning, the positive impact/influence of the job, justice and fairness, and money. Four participants indicated that nothing about the job was meaningful. Levels of perceived stress were not different among individuals who indicated that "helping people" was the most meaningful aspect of the job, nor were there differences in coping strategies utilized according to responses on this item.

The purpose of the current study was to investigate perceived stress and coping strategies in practicing lawyers. In response to an open-ended question about coping, participants provided responses ranging from drinking alcohol and exercise to faith/prayer and relaxing with friends. Of interest, coping method (i.e., active, passive, social) did not differentiate among levels of perceived stress, inconsistent with prior research (Joudrey & Wallace, 2009). This finding (or lack thereof) may be an artifact of the way the variable was recoded rather than a true absence of an effect. Future research should seek to investigate this possibility.

Regardless of the inconsistency with prior research, we wanted to highlight the importance of coping in high-stress jobs, such as the practice of law. Self-care and coping are imperative to managing job-related stress, but also to the relative stability and happiness outside of work. Active methods of coping (e.g., exercise) tend to be more effective than passive methods, though this general conclusion was not supported with the current data. In addition, the rate of burnout in helping professions is higher, likely given the rate with which that helping is ineffective. The authors developed the following recommendations to address and protect self-care and coping, especially for high-stress positions, like that of law:

In short, we encourage individuals to engage in self-care and coping in an effort to sustain work productivity and general efficacy. Understanding and awareness of one's limits and finding support and downtime are essential components of the self-care equation. ☪

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Pamela Bucy Pierson is the Bainbridge-Mims Professor of Law, University of Alabama School of Law. Prior to entering teaching, she served as an Assistant United States Attorney, Criminal Section, EDMO. She is the author of seven books, has testified before Congress three times, been recognized by law students as outstanding teacher seven times, and recognized as outstanding alumnus by her college and law school. She has been awarded the Outstanding Commitment to Teaching Award and the Burnam Award for outstanding scholarship by the University of Alabama.

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Andrew M Sheldon responds:

Andrew Sheldon, part lawyer, part psychologist, has long been concerned about the negative impact of the law practice on people who decide to become lawyers. A senior trial consultant at SheldonSinrich LLC, he can be reached at andy@sheldonsinrich.com.

Maybe It Starts in Law School

Back in the day (late sixties), when I was in law school, I felt the stress these authors talk about. It was not fun. For one of my classmates, it was deadly; for others, it was just depressing and anxiety provoking. Of course, my best friend thought all my concern was silly because he was having a helluva good time in law school. Law school was a joy for him and he was not alone. But then I wasn't alone either.

Benjamin, Kaszniak, Sales and Shanfield did the study that opened my eyes to possible explanations for my varieties of unhappiness.^[1] Listen to the abstract for their 1986 paper:

“Data were collected, using four standardized self-report instruments (Brief Symptom Inventory, Beck Depression Inventory, Multiple Affect Adjective Checklist, and Hassle Scale) on subjects before and during law school and after graduation. Before law school, subjects ex-

pressed psychopathological symptom responses that were similar to the normal population. Yet during law school and after graduation symptom levels were significantly elevated.”

What does “significantly elevated” symptom levels exactly mean? Here's what they said:

“During law school . . . symptom levels are elevated significantly when compared with the normal population. These symptoms include obsessive-compulsive behavior, interpersonal sensitivity, depression, anxiety, hostility, phobic anxiety, paranoid ideation, and psychoticism (social alienation and isolation).” At page 225. And, they noted, 20 to 40% of a law school class had these symptoms of illness and distress (depending on the symptom).

These symptoms of illness and dysfunction did not disappear on graduation. “Finally, further longitudinal analysis showed that the symptom elevations do not significantly decrease between spring of the third year and the next two years of law practice as alumni.” P 246

If that's not indictment enough, the study also discovered that the deleterious effect of law school affected everyone, not just people with “unique and rare vulnerabilities.” Moreover, when