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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
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STRESS MANAGEMENT FOR **LAWYERS**

Authored by - Alden Vas

CHAPTER 1:

BACKGROUND

By nature, lawyers are high achievers. Successful lawyers have a remarkable work ethic and persistence to thrive in the cutthroat, pressure-filled legal sector. Unfortunately, this increased ability also applies to the rising levels of legal stress. While stress is an inevitable part of any profession in law, too much stress may be harmful to your physical health. Stress can show up as physical symptoms like headaches, muscular discomfort, and digestive problems as well as mental health problems. Even disorders like sleeplessness, burnout, and anxiety can be caused by too much stress. All vocations include some level of stress. However, it is pervasive in the legal industry. Stress that is not controlled also causes sadness and anxiety. ¹A recent study in LexisNexis' [The Bellwether Report 2019](#) says two thirds of lawyers experience “high levels of stress despite the confident ‘business as usual’ industry outlook.” And according to a study by the [Hazelden Betty Ford Foundation and the American Bar Association Commission on Lawyer Assistance Programs](#), 28 percent of lawyers experience some level of depression and 19 percent display symptoms of anxiety. Once you become a lawyer in the real world, you will find that it is both gratifying and challenging to do your work. It is understandable that being a lawyer rates in the top 30 most stressful careers, given the long hours, difficult client personalities to manage, the volume of cases, and the pressure to prevail. For lawyers, managing stress is a daily battle, and it may be hard for them to break the cycle. In a legal company, you're certainly not the only one who feels pressured, nervous, or even sad. Workplace stress is very frequent. Therefore, it is crucial to understand that being open and honest about your mental health with friends, family, and co-workers is acceptable—and even necessary. Sharing openly with people how stress affects you may foster comradery, support, and possibilities for solidarity. That can significantly alter how you feel about your surroundings since stress, melancholy, and anxiety cause you to feel alone. It could be difficult to bring up the subject of your mental health with someone you love, respect, and trust. In general, we feel bad when we seek for assistance and don't want to confess when we're having trouble.

¹ “5 Tips for Managing Stress as a Lawyer”, SIMPLE LAW
<https://www.simplelaw.com/blog/5-tips-for-managing-stress-as-a-lawyer>

RESEARCH QUESTIONS

- What are some of the important reasons that trigger stress in lawyers?
- What are some of the helpful activities with the help of which lawyers can overcome the stress they face in their day-to-day life?
- What are the consequences if stress is not timely managed?

RATIONALE

“Stress Management for Lawyers”, is a very important topic given to me to undertake a research and find helpful ways which can be used to treat this professional stress. Stress among lawyers is not something which is usually spoken about in the fraternity but each one is going through it silently and it is a fact, even if we deny it a million times. In the process to become a lawyer, we are usually told that we need to be strong to handle varieties of cases, some which may be very heinous in nature. While having the workload to deal with such cases we often have to face times which are stressful, which should be dealt immediately, else it can lead to hampering with one’s mental health and well-being. Through this research, the researcher aims to find helpful ways to cope with such stress.

OBJECTIVE

The objective of this research is to make a concise analysis of the work conditions of lawyers because of which they encounter various types of stress. The overall objective is to propose helpful and easy solutions to countering any such kind of work related stress faced by lawyers.

The aim and objective of such research is to bring mental wellbeing among lawyers so that they can remain as healthy as possible and focus on the cases they are working at because perhaps one mistake from their end may cost someone their life. The researcher is optimistic that the suggestions he puts forward will be applied as much as possible and it helps all who read this paper.

RESEARCH METHODOLOGY

A wide range of secondary sources, including articles, books, journals, blogs (with reliable and relevant content), etc., were used to gather research for this project. The Doctrinal Method of research was used throughout the study, and none of the static data that was provided was obtained directly from the source. Descriptive research is mostly employed in this study.

CHAPTER 2:

UNDERSTANDING THE TERMINOLOGY “STRESS” AND CAUSES THAT LEAD TO STRESS AMONG LAWYERS:

“Stress can be defined as any type of change that causes physical, emotional or psychological strain. Stress is your body's response to anything that requires attention or action. Everyone experiences stress to some degree. The way you respond to stress, however, make a big difference to your overall well-being.”² Stress is a state of stress, either emotionally or physically. Any circumstance or idea that gives you cause for annoyance, rage, or anxiety might trigger it. Your body's response to a demand or difficulty is stress. Stress may occasionally be advantageous, such as when it keeps you safe or helps you reach a deadline. However, chronic stress can be bad for your health. The body's reaction to pressure—physical, mental, or emotional pressure—as seen in medicine. Stress alters the body's chemical composition, which can increase blood pressure, heart rate, and sugar levels. Additionally, it could cause feelings of annoyance, worry, rage, or melancholy. Normal daily activities or a specific occurrence, such as a trauma or disease, can both lead to stress. Problems with personal health may result from prolonged stress or excessive levels of stress.

- **Competition:**

The legal industry is currently rife with competition. Each year, hundreds of attorneys graduate from law school and from universities. In September 2021, there were 212,218 solicitors listed on the UK's Solicitors Regulatory Authority (SRA) database. There were 156,323 practising attorneys out of that total. From that figure, it is obvious that the vast majority of attorneys in the UK are engaged in work that requires a high degree of expertise in the legal field.

Additionally, the National Lawyer Population Survey conducted by the American Bar Association estimates that there are over 1.3 million attorneys practising in the country. Between 2011 and 2021, there will be an 8.4% spike in the number of attorneys in America. You can see from the data that the number of attorneys in the United States is amazingly rising. In the UK and the USA, there are reportedly more than 10,000 legal companies. You might wonder where the rivalry in the legal industry comes from and how it stresses out lawyers. Here is a response based on my personal knowledge. In order to draw in high-profile clientele, the majority of attorneys locate their law offices in big cities. This increases the number of legal firms in these areas and strengthens the competitiveness. As a result, stress may result from a lawyer's attempts to take off and become flashy, his struggles to build his law firm's brand and image, and his challenges to draw in important clients.

² “Stress”, World Health Organization, <https://www.who.int/news-room/questions-and-answers/item/stress#:~:text=Stress%20can%20be%20defined%20as,to%20your%20overall%20well%20being.>

- **Area of Practice:**

When I refer to the field of practise, I mean the area or subset of law wherein the attorney has a keen interest and expertise and hence practises. Legal disputes, corporate law, insurance law, family law, banking law, human rights law, and international law, among other things, may be involved. A skilled lawyer concentrates on the few aspects of law that are most important to him since he cannot be an expert in all disciplines. The fact that some legal specialties are more competitive and sophisticated than others can cause a lawyer a lot of stress as he strives to be the greatest in his chosen field.

- **Adversarial Legal System:**

Two legal systems are prevalent worldwide. The adversarial legal system and the inquisitorial legal system are the first and second, respectively. In the adjudication process, common law nations employ the adversarial judicial system to ascertain the facts. In this system, judges and magistrates serve as referees between the opposing parties while they compete against one another. The winner in an adversarial system receives all rewards, whereas the loser receives none. It is not much of a competitive system. The adversarial system fosters animosity among the parties, has numerous external demands from clients, stakeholders, the government, etc., and involves complicated legal procedures. To thrive in this system, a lawyer must put in a huge amount of labour, which may be stressful.

- **Timeline Pressure and Work Overload:**

The majority of legal actions have a deadline or time frame. The majority of deadlines in the legal field are established by law or legislation, whether it be interacting with clients, drafting legal papers, bringing a case to court, etc. Additionally, a lawyer occasionally deals with urgent issues. Here, the attorney must ensure that he makes every effort to turn things around. A timeline's non-observance has a big effect. It may be a sign of the lawyer's carelessness; it might result in the case being dismissed or any other problems that might cause tension. Lawyers have a demanding schedule. They are juggling a lot of vital tasks at once. When you combine this bustle with the deadline pressure mentioned above, you get stress. Stress is calculable as job overload plus deadline pressure.

There are also some Causes of Stress due to Lawyer's Personal Behaviour

- **Workaholic Behaviour:**

Lawyers often put up excessive hours. They have a tendency to be workaholics. They wish to participate in all pursuits. Given that he must deal with all the aforementioned professional demands, a lawyer in this situation is likely to be anxious.

- **Perfectionism:**

T. Whitmore says, *“Trying to be a perfectionist brings increased stress and hinders performance.”* Nobody is flawless, and in my opinion, nothing is either. Because things occasionally do not go as planned in the legal profession, a lawyer with perfectionist tendencies is more prone to experience stress.

- **Emotional Instability:**

Some folks have such fragile emotions. By "soft," it means that they are readily influenced emotionally by outside forces. Due to the numerous challenges, setbacks, pressures, and knockdowns that the legal profession entails, lawyers with emotional brittleness are likely to experience the most stress.

UNDERSTANDING THE COURTS SITUATION AND CASE BACKLOG IN INDIA:

Of course, the judiciary in India has long struggled with the issue of pendency. But although their average rate of disposition between 2015 and 2019 was roughly 1.8 million cases each year, the high courts currently identify 5.8 million cases as pending. The issue keeps growing worse since the number of cases resolved typically falls below the number of cases launched. This backlog really results in many significant legal questions not getting timely responses. Many significant constitutional law matters, many of which concern the fundamental rights of individuals, have been on hold for decades or even centuries. Delays in criminal trials cause the accused—many of whom are being held in jail—to endure enormous hardships since they frequently have to wait years for a decision. Economic activity is also made difficult by pendency since it costs too much to enforce contracts. India placed 163 (out of 190) in the world for contract enforcement in the World Bank's Ease of Doing Business rankings for 2020. Pendency is an ongoing issue in India's specialised tribunals as well as the courts, making delays in the legal system widespread throughout India. Statutory tribunals spread throughout all economic sectors during the liberalisation of the Indian economy in the 1990s, although their effectiveness is far from ideal. Consider the National Company Law Tribunal (NCLT), a well-known body in charge of finding a solution to India's financial issues. Academics and legal professionals frequently draw attention to the NCLT's shoddy infrastructure. 1 Due to these structural flaws, the tribunal has recently been unable to comply with the deadlines set forth in the new Insolvency and Bankruptcy Code, putting a stop to this historic reform initiative designed to give failing businesses a way out. Pendency is caused by a multitude of factors on both the supply and demand sides, including the increasing number of new instances (the slow disposal rate). Demand-side reasons include the broad judicial authority provided by the Indian Constitution, increased government litigation, quick social and economic development that fuels more conflicts,

and others. The availability of judges to hear any complaints under their powers conferred and to take suo moto (judicial action being taken without any proposal by the involved parties) cognizance of matters, as well as the size of the country's judicial vacancies, are examples of supply-side causes. These codes of civil and criminal procedure do not encourage swift case disposition.

EFFECTS OF STRESS ON LAWYERS:

- **Mental Consequences:**

The adversary of a lawyer's mental wellbeing is excessive stress. Excessive stress that goes unchecked might result in longer mental health problems. This encompasses conditions like drug abuse, anxiety, and depression, which are all common in the legal industry. The negative impacts of stress include depression and anxiety. A depressed person, by definition, has persistently unpleasant thoughts that cause them to feel sad, angry, or guilty. An anxious person has persistently unfavourable thoughts, which lead to unfavourable feelings like fear. An inability to effectively manage stress is frequently at least partially responsible for depression and anxiety.

- **Drugs and Alcohol:**

Alcohol and narcotics are frequently used as stress relievers. This is a bad strategy. Lawyers who are under stress frequently fall for this trap.

- **Physical Consequences:**

A typical human reaction to stress is tension. However, sustained stress, the type that many attorneys experience, can harm your health. Both short-term and long-term stress can cause symptoms including weariness, difficulty sleeping, muscular soreness, upset stomach, headaches, and more. The human body's "fight-or-flight" reaction and the production of stress hormones are two main causes of this. There may be physical signs if your body produces too much stress hormone.

- **Social Consequences:**

Your interactions with loved ones, friends, and even yourself deteriorate when you're under stress. Stressed-out attorneys get into a loop of working and thinking about work continuously, even on the holidays or when enjoying time with family and friends. Less time—or less time spent spending quality time with the people you care about—means that your work-life balance will be negatively impacted if stress results in overworking.

EFFECTIVE TECHNIQUES TO MANAGE STRESS

FOR LAWYERS:

In the legal profession, stress is inescapable. However, how you respond to stress may have a significant influence on how it affects your job, health, and mental wellbeing.

- **Exercise, Relax and Sleep Well:**

Physical activity is a good way to move your body when you're a busy lawyer. Your body will benefit from regular exercise in keeping it healthy. By increasing endorphins and lowering stress hormone levels, exercise also aids in relaxation and stress management. Research shows that sleeping 6-8 hours in the night helps the mind to refresh itself and prepares the mind to process all the upcoming activities of the following day.

- **Know your Limits and Draw Boundaries:**

On Clio's Daily Matters podcast, legal coach Terry Demeo talks how a lack of strong boundaries is a primary cause of professional stress. This entails experiencing a constant urge to be available for work and receptive.³ It's crucial to establish and communicate your workload boundaries and limits in order to reduce stress. For instance, if you operate alone as a lawyer, establish a realistic cap on the number of customers and the amount of work you can do. Then, be sure to follow through on it. If you work for a legal firm, try to let your manager know when anything is getting out of hand. Knowing your limitations can help prevent the negative impacts of legal burnout, even if it might seem uncomfortable. Additionally, you need to be honest with your clients about how much of your time they may anticipate from you. At the beginning of their client journey, establish these expectations. Next, put a maintenance system in place. Sending a one-line reply (or setting up an automatic reply) to confirm receipt of an email is preferable to devoting your whole weekend to responding to it in detail. By doing this, you may let the sender know that you've received their communication and will answer to them fully in due course.

- **Keep-up with your Hobbies:**

It's crucial to frequently recharge your batteries. This entails scheduling time for enjoyable pursuits outside of work. This can entail picking up a past-loved activity that you put on hold due to job demands. Take out your old sewing machine or juggling clubs, for instance, during this time. Or, it may imply making an attempt to discover new interests. Kelly offers activities that allow you to fully engage in something enjoyable—or challenging—as a way

³ "Why being a Lawyer is Stressful and 7 Tips to Manage Lawyer Stress", Clio, <https://www.clio.com/blog/lawyer-stress/>

to reduce stress. The amount of leisure you have for hobbies may also depend on the field of law you practise.

- **Make Time for your Loved Ones:**

Another option for relieving legal stress might be nearby or on the other end of the phone. A great technique to alleviate stress is to connect with your loved ones. Try switching off from your electronics after a long, hectic workday and spending time with the individuals who bring you joy instead. Likewise, don't worry about coming up with intricate ideas all the time: A quick video conversation to check up with a relative, a game with the kids, or a movie on the sofa with your spouse may all be good ways to unwind and recharge.

- **Set Goals:**

Setting objectives for yourself as a lawyer might help you focus and manage your stress.

Consider this: Running with a finish line in sight is simpler (and less stressful) than running aimlessly. Because of this, developing and achieving objectives might help you feel more in control. Set objectives that help you focus on your life's and career's wider picture. For instance, you may ask yourself where you like to be in a year, three years, and six years.

- **Therapeutic Ways:**

One of the most effective ways for attorneys to proactively enhance their mental wellbeing is to talk to someone they are comfortable with and trust, such as a trusted counsellor or therapist. Therapists may serve as a non-judgmental sounding board in addition to assisting you in developing effective coping skills so you can better handle stressful circumstances.

- **Delegate and Automate:**

The Pareto Principle is often called the 80/20 rule. According to this rule, just 20% of the efforts produce 80% of the results. As a lawyer, your objective should not be to work hard but rather to work smart, hard smart, or wisely hard. Working more efficiently means archiving more information with fewer resources. Why not archive that? Delegation and automation are the methods used. Any work or activity that isn't necessary being done by you should be delegated. such as gathering legal information, preparing legal papers, submitting paperwork, and any other little jobs. Make sure your team is successful before you delegate. Automation is now easier because to current scientific and technological advancements. You may successfully manage your stress using delegation and automation since they provide you time to concentrate on important tasks that have a significant impact. Additionally, they will lessen workaholic behaviour and allow you more career autonomy.

CONCLUSION:

It comes as no surprise that working as a lawyer can expose you to challenging circumstances. However, it doesn't follow that you must always feel anxious. Stress may have negative effects on our physiological, mental, and social health. It may be brought on by a heavy job, the emotional impact of legal work, or the strain to compete in a cutthroat market. Even while these stresses will not go away, you can respond to them and deal with your stress in a more constructive way. Understanding how to manage stress and having peak-smoothing techniques are crucial. With some effort, we can control how we react to stress, whether it is through exercise, consultation with experts, or mindfulness.

