

Pepperdine University

Pepperdine Digital Commons

Theses and Dissertations

2017

Best practices for managing burnout in attorneys

Ilona Salmons

Follow this and additional works at: <https://digitalcommons.pepperdine.edu/etd>

Recommended Citation

Salmons, Ilona, "Best practices for managing burnout in attorneys" (2017). *Theses and Dissertations*. 835.
<https://digitalcommons.pepperdine.edu/etd/835>

This Dissertation is brought to you for free and open access by Pepperdine Digital Commons. It has been accepted for inclusion in Theses and Dissertations by an authorized administrator of Pepperdine Digital Commons. For more information, please contact josias.bartram@pepperdine.edu , anna.speth@pepperdine.edu.

Pepperdine University
Graduate School of Education and Psychology

BEST PRACTICES FOR MANAGING
BURNOUT IN ATTORNEYS

A dissertation submitted in partial satisfaction
of the requirements for the degree of
Doctor of Education in Organizational Leadership

by

Ilona Salmons

July, 2017

Farzin Madjidi, Ed.D. – Dissertation Chairperson

This dissertation, written by

Ilona Salmons

under the guidance of a Faculty Committee and approved by its members, has been submitted to and accepted by the Graduate Faculty in partial fulfillment of the requirements for the degree of

DOCTOR OF EDUCATION

Doctoral Committee:

Farzin Madjidi, Ed.D., Chairperson

Lani Simpao Fraizer, Ed.D.

Gabriella Miramontes, Ed.D.

© Copyright by Ilona Salmons (2017)

All Rights Reserved

TABLE OF CONTENTS

	Page
LIST OF TABLES	vii
LIST OF FIGURES	viii
DEDICATION	ix
ACKNOWLEDGEMENTS	x
VITA	xi
ABSTRACT	xii
Chapter 1: Introduction.....	1
Background	1
Psychology of Happiness	2
Burnout.....	5
Statement of the Problem.....	7
Purpose Statement.....	9
Research Questions	9
Significance of the Study	10
Key Assumptions.....	12
Limitations	13
Definition of Terms	14
Summary	15
Chapter 2: Literature Review.....	17
Introduction.....	17
Burnout Overview	18
Brief History of Burnout	18
Burnout Dimensions and Symptoms	20
Differential Criteria.....	22
Maslach Burnout Inventory (MBI)	27
Additional Measures	28
Environmental Characteristics.....	30
Individual Characteristics.....	35
Protective Factors for Prevention	36
Antidote to Burnout.....	38
Outcomes	39
Burnout Research in Professional Contexts.....	41
Legal Climate Overview.....	42
Close Examination of Lawyers' Unhappiness	49
Close Examination of Burnout in the Legal Profession	53
Summary of the Profile of High-Risk Attorneys	56

	Page
Lawyer Well-Being.....	57
Law Schools	60
Becoming a California Lawyer.....	66
Impact of Lawyer Well-Being on Career.....	68
Conclusion.....	68
 Chapter 3: Research Design and Methodology	 72
Introduction.....	72
Re-Statement of Research Questions.....	72
Nature of the Study.....	73
Methodology.....	75
Research Design.....	78
Human Subject Consideration.....	82
Data Collection	83
Interview Techniques.....	84
Interview Protocol.....	86
Statement of Personal Bias.....	91
Epoche	91
Data Analysis.....	92
Summary	95
 Chapter 4: Findings	 96
Introduction.....	96
Participant Selection.....	96
Data Collection	98
Data Analysis and Coding	100
Data Display	101
Summary of Chapter 4	139
 Chapter 5: Conclusions and Recommendations	 140
Introduction.....	140
Summary of the Study	141
Study Results	142
Key Findings.....	145
Implications of the Study	148
Recommendations for Future Research.....	151
Researcher’s Observations	154
Final Thoughts.....	155
 REFERENCES.....	 156
 APPENDIX A: IRB Approval.....	 175
 APPENDIX B: E-mail Recruitment Script.....	 176

	Page
APPENDIX C: Informed Consent.....	177
APPENDIX D: Call Script.....	180
APPENDIX E: Research Questions Review Form.....	181

LIST OF TABLES

	Page
Table 1. Research Questions and Corresponding Interview Questions.....	88
Table 2. Date of Participant Interviews.....	99

LIST OF FIGURES

	Page
Figure 1. Participant years in practice	98
Figure 2. Interview question 1: Sources of professional stress	103
Figure 3. Interview question 2: Firm's role in decreasing stress	106
Figure 4. Interview question 3: Bar association's role in decreasing stress	110
Figure 5. Interview question 4: Strategies to reduce stress outside of work	112
Figure 6. Interview question 5: Interpersonal strategies.....	116
Figure 7. Interview question 6: Challenges in managing stress	123
Figure 8. Interview question 7: Organizational challenges in managing stress.....	125
Figure 9. Interview question 8: Setbacks to implementing change	127
Figure 10. Interview question 9: Success measures	133
Figure 11. Interview question 10: Advice for new attorneys.....	134

DEDICATION

In some parts of the world, being an educated woman is still an act of defiance. I dedicate my dissertation to those courageous women who have dared to challenge the limiting notion that there is one “right” way to be a woman. Your advocacy has encouraged millions of women across the world to follow their dreams. Your strength and leadership are inspiring.

I stand with you.

For our girls.

For our women.

For humanity.

For an equitable, inclusive, and just world.

ACKNOWLEDGEMENTS

It takes a village to get a doctorate (if this is not yet a proverb, it should be). I would like to acknowledge the following people for their vital role in my academic journey:

- To my family—thank you for your unconditional love and support. Mom and dad, thank you for instilling in me the importance of education. You have cheered me on every step of the way and made countless sacrifices for our family. I would not be the person I am today without you. To my husband, Patrick—thank you for your encouragement and support. You have always been my biggest advocate and I am beyond fortunate to have you by my side. I love you all very much!
- Thank you to all of my wonderful professors at Pepperdine University, I am grateful that there are too many to list here individually. Thank you for sharing your wisdom.
- To my Pepperdine colleagues-turned-friends, Verzhine, Christan, Matthew, and Sanam. Thank you for all of your support throughout this program! You each made this experience truly memorable and remarkable. A special thank you to Verzhine—we were inseparable since orientation and you have been there for me every step of the way. You are an intelligent and powerful woman and I admire so much about you.
- Drs. Farzin Madjidi, Lani Fraizer, and Gabriella Miramontes—thank you for your guidance and support throughout this entire process. I have learned so much from each of you and sincerely appreciate your hard work and dedication. When things got tough, you encouraged me to keep going. I thank you for your leadership.
- And to the attorneys who participated in this study—thank you for taking the time to speak with me. It was truly an honor meeting with so many accomplished professionals. I appreciate your willingness to be candid and share your passion for your work. Thank you for contributing to my research—this study would not be possible without you. I am excited about the findings and implications for the future of the legal profession.

VITA

Education

Pepperdine University Graduate School
Doctorate of Education in Organizational Leadership

Pepperdine University Graduate School
Master of Arts in Clinical Psychology

University of California Los Angeles
Bachelor of Arts in Psychology

Professional Experience

Adjunct Professor
Los Angeles Trade Technical College, Los Angeles, CA

Psychotherapist in Private Practice
Private Practice, Los Angeles, CA

HR Manager, Strategic Business Partner
Horton Lees Brogden Lighting Design, Inc., Los Angeles, CA

HR Administrator, Generalist
Horton Lees Brogden Lighting Design, Inc., Los Angeles, CA

Contracts Administrator, Executive Assistant
Horton Lees Brogden Lighting Design, Inc., Los Angeles, CA

Additional Clinical Experience

Therapist Intern
Airport Marina Counseling Service, Los Angeles, CA

Therapist Intern, Case Manager
Secure Transitions Foster Family Agency, Culver City, CA

Crisis Counselor
Didi Hirsch Community Mental Health Center, Los Angeles, CA

ABSTRACT

Attorneys in the United States suffer from higher-than-average rates of depression, substance abuse, and suicidal ideation. Although these facts are widely accepted, at the time of the study, there was no consensus in the legal or research communities as to the cause of these alarming statistics. The combination of behavioral and psychological distress experienced by attorneys may suggest that burnout is a contributing factor. This study examined the relationship between workplace stressors and professional burnout. The literature review summarized recent and landmark studies in the field, as well as explored characteristics unique to the legal profession that were putting attorneys at risk. In an effort to understand the best practices that reduced instances of burnout in practicing attorneys, the phenomenological study asked participants about their experiences as an attorney, as well as the practices they employed to mitigate professional stress. The research findings supported the literature review and resulted in important implications for law firms, bar associations, law schools, and practitioners.

Chapter 1: Introduction

Background

The fact that attorneys in the United States suffer from higher-than-average rates of depression, substance abuse, and suicidal ideation is widely accepted. A landmark Johns Hopkins University study (Eaton, Anthony, Mandel, & Garrison, 1990) examined the rate of major depressive disorders across 104 professions and found that even when compared with other highly stressful and demanding professionals such as nurses and social workers, lawyers had the highest occurrence of depression. Several studies found similar trends with substance abuse (Beck, Sales, & Benjamin, 1995; Benjamin, Darling, & Sales, 1990; Krill, Johnson, & Albert, 2016; Leignel, Schuster, Hoertel, Poulain, & Limosin, 2014) and suicidality (Han et al., 2016), revealing attorneys to be one of the professional groups with the highest incidence rates.

Several studies have also shown that many of these psychological and behavioral problems often arise in law school (Benjamin, Kaszniak, Sales, & Shanfield, 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). These findings might suggest that it is not simply occupational stress that causes high instances of depression, substance abuse, and suicidal ideation, but rather that something inherent within the legal profession that contributes to these alarming statistics. Many have identified the need to better understand the nature of the legal profession and the unique characteristics of the legal field that negatively impacts attorneys (Seligman, Verkuil, & Kang, 2005). Researchers, mental health professionals, and lawyers themselves have noted this issue, citing social adversity, chronic stress, and lack of work-life balance as the culprits (Bourg Carter, 2006; Hagan & Kay, 2007; Monahan & Swanson, 2009; Organ, 2011; Stake, Dau-Schmidt, & Mukhopadhaya, 2007). However, many other professions experience similarly stressful and demanding work environments, therefore, the occupational stressors alone cannot sufficiently explain the high rates of depression, substance abuse, and suicidal ideation within the profession.

Despite the known challenges within the legal field, lawyering is still a highly sought-after profession. In 2015, the Section of Legal Education and Admissions to the Bar of the American Bar Association (ABA) reported that over 345,000 hopefuls applied to 204 ABA-accredited law schools across the United States (American Bar Association, 2015). This staggering statistic does not include applications to non-ABA law schools. One possible explanation for the popularity of the legal field is its promise for professional prestige and a high earning potential. However, the medical profession is equally prestigious and lucrative, but reported only a fraction of applicants in the same year, a total of 52,550 (Association of American Medical Colleges, 2015). It is clear that many people aspire to be attorneys; therefore, it is important to better understand how to create happy and healthy careers in law.

Psychology of Happiness

One of the newest branches of psychology—positive psychology—has specifically looked at the science of happiness in the workplace, focusing their studies on positive emotions and human fulfillment. Positive psychologists have found that happier people are “more motivated, efficient, resilient, creative, and productive” (Achor, 2010, p. 4). Undoubtedly, these individual characteristics are important for success in the legal field as much as they are important in any other field. Although happiness is not necessarily the opposite of depression nor does it imply the absence of the aforementioned symptoms, it is important to understand the factors that contribute to emotional well-being in order to provide an additional context for and comparison to psychological distress.

Income and happiness. Psychologists and economists have looked at factors impacting human happiness. Some have linked happiness and subjective well-being to an individual’s annual gross income level (Diener & Biswas-Diener, 2002; Kahneman & Deaton, 2010). A 2010 study (Kahneman & Deaton) looked at the relationship between income and happiness and found that an income threshold of \$75,000 was significant in several ways. First, a gross income below this threshold could negatively impact an individual’s emotional well-

being, exacerbating the experience of the day-to-day emotional pain (Kahneman & Deaton, 2010). Second, an income below the \$75,000 threshold could also negatively impact a person's subjective evaluation of one's life (Kahneman & Deaton, 2010). Finally, and perhaps most important, although an income above the \$75,000 threshold steadily improves an individual's subjective life evaluation, it has no effect on his or her emotional well-being (Kahneman & Deaton, 2010). In summary, this study demonstrated that although an income level below \$75,000 can negatively impact an individual's well-being, an income above this level has no impact on one's happiness. Therefore, the relative happiness or unhappiness of an individual who falls above this income threshold cannot be attributed to finances.

The United States Bureau of Labor Statistics reported that the average salary for attorneys in the United States in 2015 was \$136,260, well above the \$75,000 threshold (U.S. Department of Labor, 2015). Based on the findings by Kahneman & Deaton (2010), an average lawyer's income level should contribute to a positive life evaluation and have no negative impact on emotional well-being. However, other studies have demonstrated that the relationship between income and well-being is not absolute but relative to one's circumstances (Clark, Frijters, & Shields, 2008). Therefore, any economic dissatisfaction experienced by attorneys may be due to comparing their salaries to those of higher-earning colleagues or to an abstract amount they thought they would earn. Nevertheless, income alone cannot explain the emotional and behavioral challenges of legal professionals.

Interpersonal relationships and happiness. Others researchers have examined happiness in the context of economic poverty and suggested that it is actually social interactions—not money—that are most important for subjective well-being (Biswas-Diener & Diener, 2006; Camfield, Choudhury, & Devine, 2009). Some have specifically defined interpersonal relationships as occurring in the context of a marital relationship and found that marital satisfaction plays a key role in an individual's overall happiness (Waldinger & Schulz,

2010). These findings may be a concern for the legal profession, notorious for its socially adversarial nature.

In a rare 75-year longitudinal study on happiness, psychiatrist Roger Waldinger and generations of researchers who preceded him studied two groups of men from the time that the men were teenagers (Waldinger, 2015). The first group was comprised of Harvard undergraduate students, and the second group included teenagers from the poorest neighborhoods in Boston. The researchers studied each of the participants over this 75-year period and assessed them on numerous variables of happiness and well-being, including individual self-report measures, medical records, blood tests, brain scans, and interviews with family members. The study found that of all of the various factors that may affect a person's life, the number one predictor of long-term happiness was the quality of relationships (Waldinger, 2015). As Waldinger (2015) summarized in his popular TEDx Talk that has garnered over eleven million views, "Good relationships keep us happier and healthier. Period."

Relational and marital problems among attorneys, including higher instances of divorce, are well documented (Chambers, 2014; Schiltz, 1999; Seligman et al., 2005). Recent research in neuroscience may describe the link between this highly analytical profession and the challenges with interpersonal relationships. Neuroscientists have identified two neural networks—the task-positive network (TPN) and the default mode network (DMN)—that serve different functions in our brains. Whereas the TPN focuses on analytical thinking and problem solving, the DMN focuses on social and emotional functions, including self-awareness, moral concerns, and empathic concerns (Friedman, Jack, Rochford, & Boyatzis, 2015). Moreover, brain-imaging scans have demonstrated that when the task-positive neural network is being utilized, it is actively suppressing the default mode network, and vice-versa (Boyatzis, Rochford, & Jack, 2014). For this reason, scientists have dubbed this model of neural network functioning as antagonistic.

Professions in which individuals are required to use one of these networks significantly more often than the other yield general workforce deficiencies in the development of the lesser-used network (Jack et al., 2013). Therefore, while analytically-focused professions strengthen an individual's executive functioning and problem-solving skills, they simultaneously diminish one's ability to connect with others. This may impact an individual's abilities to create and maintain meaningful interpersonal relationships. Because studies on happiness have demonstrated the important role of relationships for emotional well-being, the analytical nature of the legal profession may be one of the many factors that make attorneys more susceptible to behavioral and mental health issues. However, given the current dearth of empirical and scientific data, it is difficult to know for sure which characteristics of the legal profession are most negatively impacting attorneys, putting them at an increased risk of developing symptoms of depression, substance abuse, and suicidality. While there is currently no consensus as to the root cause of the serious psychological and behavioral issues in the legal profession, one potential explanation is burnout.

Burnout

Burnout syndrome is characterized by physical and emotional exhaustion, depersonalization, and inefficacy in the workplace (Maslach, Leiter, & Schaufeli, 2009; Maslach, Schaufeli, & Leiter, 2001; Schaufeli & Buunk, 2003). Burnout typically develops cumulatively over an extended period of time as a response to chronic stress (Maslach et al., 2001; Schaufeli & Buunk, 2003). Because the day-to-day incremental changes to one's well-being are difficult to detect, most people do not realize they are suffering from burnout. As a result, they do not seek help in a timely manner, making an early diagnosis and intervention nearly impossible. By the time most people receive a diagnosis, they have typically struggled with symptoms for a long time. Because symptoms become more severe over time, burnout is especially difficult to treat. Moreover, the negative effects of burnout impact many areas of an individual's professional and personal life (Maslach et al., 2001; Schaufeli & Buunk, 2003). As a result, a treatment that is not

multidimensional—addressing physical, cognitive, emotional, relational, and organizational issues—is ineffective (Maslach et al., 2001). Finally, the emotional symptoms of burnout are similar to those of some mental health disorders (Schaufeli & Buunk, 2003). Because people who are suffering from burnout typically present to their medical doctor with a depressed mood and low physical energy, they are often misdiagnosed as having major depressive disorder or chronic fatigue syndrome (Schaufeli & Buunk, 2003). When individuals are misdiagnosed, they are not able to receive the appropriate treatment they need, often resulting in a deeper descent into their burnout (Shirom, 2009).

Burnout is often the result of a complex interaction between environmental and personal factors (Maslach & Jackson, 1981; Maslach et al., 2001; Maslach et al., 2009). Work environments that place professionals at the highest risk for burnout include those that are highly demanding, in which employees have little autonomy, as well as those environments that lack a sense of community or misalign personal and organizational values (Maslach et al., 2001; Schaufeli & Buunk, 2003). These characteristics are typical of many large legal firms, where lawyers work long hours, compete with colleagues, are adversarial with opposing counsel, and must do what is best for the case independent of their personal beliefs (Bourg Carter, 2006; Seligman et al., 2005). Personal traits that increase the chances of burnout are characteristic of Type A personalities, including being ambitious, self-critical, organized, high-achieving, uncomfortable with ambiguity, and a perfectionist (Bourg Carter, 2006). Because perfection is unattainable, individuals who identify as perfectionists are at the highest risk of developing burnout (Bourg Carter, 2006). Attorneys often exhibit these perfectionist characteristics, as these traits help them be successful in law school and the legal field (Bourg Carter, 2006).

The unique combination of environmental and personal characteristics undoubtedly contributes to high instances of psychological and behavioral problems in attorneys (Seligman et al., 2005; Bourg Carter, 2006). However, not all attorneys experience some or all of these symptoms. Even in a single law firm, where attorneys experience consistent environmental

stressors, some attorneys are better able to successfully avoid burnout while others are not. Therefore, some attorneys and law firms must have strategies in place that protect themselves and their team members from developing burnout syndrome (Bourg Carter, 2006).

Statement of the Problem

Attorneys in the United States suffer from increasingly high rates of psychological and behavioral problems. Even when compared to other high-stress professions such as physicians, nurses, teachers, and counselors, attorneys consistently exhibit high rates of depression (Beck et al., 1995; Eaton et al., 1990), substance abuse (Beck et al., 1995; Benjamin et al., 1990; Krill et al., 2016; Leignel et al., 2014), and suicidality (Han et al., 2016). Though this statistic was identified in 1990 studies, few subsequent efforts have been made to research and better understand this phenomenon (Benjamin et al., 1990; Eaton et al., 1990; Krill et al., 2016). Moreover, few organizational and policy changes in the legal profession have been made to address this pandemic. A 2016 study of the prevalence of substance abuse and depression among U.S. attorneys demonstrated that the incidence rates are consistent with those found in 1990 (Krill et al., 2016). The lack of progress in supporting struggling attorneys is evidenced by these recent findings.

The lack of attention to this important issue only further exacerbates the problem. First, avoidance of the problem in the research and professional arenas contributes to the stigma many people in the United States already feel when facing mental health issues. Deliberately ignoring these alarming statistics may send the message that these experiences are shameful and should not be discussed. The stigma and associated shame may already be the reasons why attorneys do not get the help they need and choose to self-medicate by abusing substances or decide to kill themselves because the pain they feel is unbearable. The lack of attention from the research community may imply a disinterest in the struggles faced by attorneys, suggesting a lack of concern for the well-being of this particular population.

Moreover, a dearth of research prevents a more thorough assessment of the symptoms and an overall understanding of the issue. This can result in misdiagnoses. For example, the symptoms of major depressive disorders include a depressed mood, loss of interest in activities that were previously enjoyable, change in appetite (increase or decrease), sleep disturbances including insomnia or hypersomnia, lethargy, diminished ability to focus, feelings of guilt or worthlessness, and suicidal ideation (American Psychiatric Association, 2013). These symptoms are similar to those experienced by individuals who report experiencing burnout. However, although the symptoms are similar, the causes of these symptoms are different and therefore the treatment approaches would be different. Misdiagnosing the symptoms can result in people not receiving the appropriate treatment they needed to resolve the problem, which potentially results in more severe symptoms.

Misdiagnosis can occur due to the gap in research literature examining burnout in the legal profession. Although burnout has been widely studied by researchers around the world, the majority of the studies focus on burnout in general or examine the phenomena of burnout in the medical professions and educational fields (Bellieni et al., 2012; Kilfedder, Power, & Wells, 2001; Soler et al., 2008). The Maslach Burnout Inventory (MBI), a widely used and accepted measure of employee burnout, has two versions specifically dedicated to these populations—the MBI Human Services Survey and the MBI Educators Survey (Maslach & Jackson, 1981). Researchers who focused on these populations cited the importance of having alert and engaged medical and educational professionals because they interact with a wide array of people every day. Although attorneys have not received the same level of attention, their field is one of public service and also affects individual clients through day-to-day interactions, as well as the local, regional, and national communities at large through the implementation of statutes and laws. With well over one million attorneys in the United States (American Bar Association, 2016), overlooking this population results in a deficiency in understanding solutions to this growing problem.

Purpose Statement

Although burnout and its associated symptoms are common in the legal profession, it does not affect all lawyers. Some attorneys have learned to overcome the challenges of their profession that lead their peers and colleagues into burnout. Accordingly, this study will examine the best practices for successfully managing burnout in the legal profession, as well as identify those factors unique to the legal field that contribute to attorney burnout. The findings can help create effective strategies for preventing and resolving burnout symptoms in attorneys. Over time, this will help reduce the incidence rates of depression, substance abuse, and suicidality among U.S. attorneys.

Specifically, this study will determine the academic, professional, and personal risk factors that contribute to burnout in attorneys. This study will identify the best practices of managing these challenges in the legal profession and mitigating burnout symptoms. This study will also examine the challenges that attorneys face when attempting to deploy specific measures to mitigate professional burnout. By identifying the criteria attorneys use to measure success, this study will help pinpoint specific results that are unique to and important for the legal profession. Finally, this study will establish the lessons attorneys have learned during their professional careers in mitigating burnout. The findings will provide recommendations to new attorneys in the field, as well as help law schools revise their curricula to provide additional support for new attorneys.

Research Questions

The legal profession is intellectually demanding and is one that requires cognitive acuity of the legal professional. An individual who is struggling with the symptoms of burnout is less likely to be successful in such a demanding field and will fail to provide his or her clients with the standard quality of care as required by the profession. In order to better understand unique challenges in the legal profession that are contributing to attorney burnout, the following research questions (RQ) were addressed in this study:

- RQ 1: What strategies and best practices do attorneys deploy to mitigate professional burnout?
- RQ 2: What challenges do attorneys face most often in deploying measures to mitigate professional burnout?
- RQ 3: How do attorneys assess success measures for mitigating professional burnout?
- RQ 4: What recommendations would attorneys give to other law practitioners for mitigating professional burnout?

Significance of the Study

Understanding the factors that contribute to burnout in attorneys has several important implications. First, a recognition of this phenomenon by the legal profession can create a dialogue around this problem. This recognition can reduce the stigma attorneys feel regarding the mental health and substance abuse issues that are prevalent within their profession, and those who struggle with these symptoms can know they are not alone. Second, attention to this important issue will encourage further research to develop a better understanding of the characteristics unique to the legal profession that contribute to the alarmingly high rates of depression, substance abuse, and suicidality. An understanding of the cause of this problem can result in the creation of clear, concrete, and targeted solutions and lead to an overall improvement in practices.

Burnout syndrome is a result of chronic stress (Maslach et al., 2001, 2009; Schaufeli & Buunk, 2003). Because burnout syndrome develops cumulatively, over a period of time, it is typically difficult to detect early warning signs when one is unfamiliar with the symptoms. Therefore, by the time that someone realizes his or her burnout, they have typically been struggling with symptoms for a long time. This delay in addressing early warning signs and symptoms results in making burnout especially difficult to treat. Moreover, the current status quo in the professional arena is to treat burnout once it starts (Maslach et al., 2009). However,

because it is so difficult to treat, a better strategy is to focus efforts on preventative measures. The findings of this study can identify preventative strategies that can protect attorneys from developing burnout symptoms in the first place.

Having a clear understanding of the environmental factors contributing to this issue can inspire law firms to incorporate preventative measures. For instance, preventative measures may include in-office informational sessions, additional training for team leaders to identify early warning signs of burnout, training on how to appropriately initiate a dialogue around this issue, and even confidential employee assistance programs that can provide lawyers with additional support. These measures will decrease turnover, improve employee well-being, decrease absenteeism, and have an overall improvement in engagement and productivity. When employees are engaged and productive, they stay on task and feel better about themselves and their work. Staying on task decreases the chances of having a large backlog of to-do tasks, helping employees feel less overwhelmed by the demands of their jobs, and ultimately decreasing chances of burnout.

Furthermore, state and national bar associations can use the findings of this study to implement policy changes. Currently, attorneys in the State of California are only required to complete one substance abuse seminar during the three-year renewal period (State Bar of California, 2016a). This requirement seems far too minimal, given the increasingly high rates of substance abuse among attorneys. The findings in this study can recommend more appropriate state and nationwide policies and continuing education requirements to help keep the nation's attorneys well informed.

In addition to changing policies in the bar associations, the findings of this study can be incorporated into law school curricula. Since research has shown that many of these symptoms first surface during law school and that law students are at higher risk of developing these symptoms than other graduate students (Beck et al., 1995; Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007),

the integration of preventative measures into law school curricula is important. This awareness can help reduce the instances of psychological and behavioral issues and prevent full-fledged burnout. Candid discussions about the challenges within the legal profession can also help law students to have realistic expectations of the profession once they graduate from law school. Moreover, law students who learn coping mechanisms and self-care practices in law school can continue to utilize these skills in the workplace.

The findings of this study can also have implications for other professional fields. Some of the findings in this study in regards to best practices may be generalizable to other high-stress professions, including other professions in the legal or political arena such as paralegals, government officials, and judges. Continued focus and discussion on burnout and its impact on U.S. employees can spur discussions at the corporate and human resource levels, and inspire policy changes regarding work hours, paid sick leave, paid vacation leave, and other such practices that may reinstate balance in high-stress professions.

Key Assumptions

Several key assumptions were presented in this study:

- The participants in this study understood the interview questions and answered the interview questions truthfully, to the best of their ability.
- The sample of attorneys selected for this study through the State Bar of California was representative of the larger population of practicing attorneys across the United States.
- The participants understood the definition of “burnout syndrome” as it was presented to them at the start of the interview, and that the participants utilized this specific definition and not any previous understandings of the term when answering the interview questions.

- The educational and professional requirements for practicing attorneys across the United States are consistent enough across various bar associations so as not to affect the results of this study.

Limitations

This study had several limitations. First, although literature was available that focused on professional burnout with a particular focus on the medical and educational fields, a lack of research looking at burnout within the legal profession existed. As a result, this study utilized research that was conducted since 1990, a 26-year span. Second, because the participants of this study must be currently practicing attorneys in the United States, several important populations were excluded. For instance, the scope of this study did not look at the experience of law school students, though studies have shown that symptoms often present themselves during law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). Additionally, this study excluded attorneys who were no longer practicing law, although some of these individuals may have left the profession specifically due to burnout. Finally, this study did not interview legal assistants, paralegals, judges, or other professionals in the legal field who may have experienced similar symptoms. Exclusion of these populations may have affected the results by omitting another variable— individual differences between those who stayed in the profession and those who transitioned out of the profession.

Moreover, because the interviewees were asked to participate in this study and participation was optional and voluntary, this population may not have been representative of other attorneys. This may be especially true of attorneys who were feeling burned out, overwhelmed, or pressed for time, and therefore were less likely to volunteer to participate in an additional task. Finally, although the individual responses remained confidential, some participants may not have been truthful with their responses, perhaps due to fear of retaliation from their employers, the stigma surrounding mental health symptoms such as depression and

suicidality, or a desire to elicit some type of reaction from the researcher (either positive or negative).

Definition of Terms

The following terms used the corresponding definitions throughout this study and were intended to have the definitions as outlined below. When appropriate, selected definitions were presented to the attorneys during the interview process to ensure that all participants had a similar understanding of key terms.

- *Burnout syndrome* is a cluster of symptoms characterized by physical and emotional exhaustion, depersonalization, and inefficacy in the workplace (Maslach et al., 2009).
- *Depersonalization* is a feeling of detachment from individual experiences, such as one's feelings, thoughts, or identity (American Psychiatric Association, 2013).
- *Major depressive disorder* is a diagnosable mental health disorder characterized by at least two weeks of meeting the criteria for a major depressive episode (American Psychiatric Association, 2013).
- *A major depressive episode* is characterized by at least a two-week period of five or more symptoms, one of which is either depressed mood or loss of interest. Additional symptoms include significant changes in weight or appetite (increase or decrease), insomnia or hypersomnia or an otherwise sleep disturbance, observable psychomotor changes, fatigue or a decrease in energy, feelings of worthlessness or excessive or inappropriate guilt, impacted cognitive abilities including focusing and concentration, and suicidal ideation (American Psychiatric Association, 2013).
- *Substance abuse* is a recurrent use of mind-altering substances including alcohol, tobacco, cannabis, stimulants, hallucinogens, and opioids. The use of these substances must result in significant clinical or functional impairment, such as impact the individual's ability to function day-to-day in their personal and professional lives (American Psychiatric Association, 2013).

- *Suicidal ideation* or *suicidality* are characterized by thoughts or plans to kill oneself or self-injurious behavior with the intent of killing oneself (Centers for Disease Control and Prevention, 2016). Does not include self-injurious or harming behavior that is used as a coping mechanism by some but is not intended to kill oneself.

Summary

Attorneys serve an important function in society (Schiltz, 1999). In addition to the day-to-day consultation they provide to their clients, attorneys influence local and national policies through the creation of laws and statutes. Because of their significant contributions to society, it is imperative that psychological and behavioral issues within the profession are taken more seriously.

Attorneys in the United States have incredibly demanding careers—this fact is well-known. Many attorneys work long hours, have to meet difficult billing goals, and often face adversity from their colleagues and opposing counsel members (Bourg Carter, 2006; Seligman et al., 2005). Due to these and other challenges in the profession, attorneys in the United States have some of the highest incidence rates of depression (Eaton et al., 1990; Krill et al., 2016), substance abuse (Beck et al., 1995; Benjamin et al., 1990; Krill et al., 2016), and suicidality (Benjamin et al., 1990; Han et al., 2016).

Though researchers and the legal community have long known about this issue, few subsequent studies have examined the causes and possible solutions to these alarming rates (Benjamin et al., 1990). The lack of research makes it difficult to determine if the psychological and behavioral disturbances among attorneys are a result of an ongoing issue in the legal profession or are simply the symptoms of a third, unexamined variable—employee burnout. Burnout symptoms are similar to those often associated with depression, and although studies have examined burnout symptoms in other fields, burnout has a dearth of literature related to the legal profession.

By examining the causes of attorney burnout, this study can help identify specific challenges that are unique to the legal profession and put U.S. attorneys at risk. Moreover, the findings of this study can identify best practices for mitigating burnout. These findings can be incorporated in making positive changes in the profession in order to activate the protective factors. Changes can be incorporated into law school curricula, bar association policies, and law firm practices in order to diminish the negative effects of working in such a demanding profession. Over time, these changes will result in a decrease in the number of attorneys who struggle with depression, substance abuse, and suicidality.

Chapter 2: Literature Review

Introduction

Attorneys in the United States struggle with higher-than-average occurrences of substance abuse (Beck et al., 1995; Benjamin et al., 1990; Krill et al., 2016), depression (Benjamin et al., 1990; Eaton et al., 1990; Krill et al., 2016), and suicidal ideation (Benjamin et al., 1990; Han et al., 2016). Although some of these statistics were first identified in a Johns Hopkins University study over 25 years ago (Eaton et al., 1990), there has been little subsequent research to follow up on this issue. Moreover, a recent study (Krill et al., 2016) examined the prevalence of psychological and behavioral problems among U.S. attorneys and found similar incidence rates of depression and substance abuse as those identified in the 1990 Johns Hopkins study.

The similar findings in these studies that took place more than a quarter century apart suggest that the struggling legal professionals have failed to receive the proper care and attention from the research and medical communities (Schiltz, 1999). Additional understanding of this phenomenon is required in order to better comprehend the challenges in the legal profession that contribute to these alarmingly high rates of distress. An identification of the causes of these problems can promote a restructuring in the academic and professional arenas that will not only alleviate the challenges of the profession but also support the well-being of U.S. attorneys.

The combination of behavioral and psychological problems experienced by attorneys may suggest that these attorneys are struggling with burnout. Burnout syndrome—identified by three interrelated dimensions of physical and emotional exhaustion, cynicism, and inefficacy—is a result of chronic occupational stress (Maslach & Jackson, 1981; Maslach et al., 2001; Maslach et al., 2009; Schaufeli & Buunk, 2003). Individuals suffering from burnout experience symptoms similar to those of depression, are often disengaged and unfulfilled by their work and may turn to various substances to cope with their symptoms (Maslach et al., 2001). This study specifically

addresses burnout among legal professionals in order to identify the best practices in managing challenges within the legal field that contribute to these symptoms.

The objective of this literature review is to identify recent and landmark studies in organizational psychology, positive psychology, neuroscience, and public health, as related to job burnout. This chapter begins with an overview of the current research about burnout syndrome to provide a thorough understanding of the history, characteristics, contributing factors, and potential solutions. Next, the chapter addresses findings in the field of positive psychology as related to personal and professional happiness, including interpersonal relationships, income, and career satisfaction. Finally, this chapter will discuss research specifically related to the legal profession, including typical organizational characteristics of law firms, personality profiles of attorneys, statistics of depression, substance abuse, and suicidality among legal professionals, as well as several studies specifically examining burnout in the legal profession.

Burnout Overview

Burnout syndrome is a psychological disorder that is a result of experiencing chronic stress over an extended period of time (Maslach et al., 2009). Although burnout happens in a professional context, it is mainly as a result of the personal and interpersonal stressors in the workplace, including an individual's affiliation with his or her work, colleagues, and clients (Maslach et al., 2001; Schaufeli & Buunk, 2003). Burnout is specifically defined and diagnosed by three distinct yet interrelated dimensions—exhaustion, cynicism, and inefficacy (Maslach et al., 2001, 2009; Schaufeli & Buunk, 2003).

Brief History of Burnout

The association and connection that people have with their work has long been a central topic in the research community. In the early 1900s, a subfield of psychology emerged to specifically study the human experience in the workplace (Koppes, Bryan, & Vinchur, 2012). This new subfield of industrial and organizational psychology (IO psychology) allowed

researchers to examine various topics as related to professionals and the workplace, including job satisfaction, engagement, productivity, motivation, and employee well-being (Koppes et al., 2012).

However, the exploration of the experience of burnout—and specifically, the term itself—only entered the academic arena in the 1970s (Freudenberger, 1974, 1975; Maslach et al., 2001, 2009; Schaufeli, Leiter, & Maslach, 2009b). Though Freudenberger is not credited with coining the term as it was first used in the substance abuse and rehabilitation contexts, he was one of the first to introduce it in the research context as related to one's relationship with his or her work (1974, 1975). He used the term to describe his and his colleagues' emotional experiences while working in a free crisis-intervention clinic (Freudenberger, 1974). He stated that when an individual burns out, he or she “becomes inoperative for all intents and purposes” (Freudenberger, 1974, p. 160), consistent with the understanding of burnout today.

Moreover, Freudenberger (1975) introduced the concept of “agency burn-out” (p. 82). He explained that burnout was not just an individual phenomenon, but that it could also occur on the departmental level or even on the large-scale organizational context (Freudenberger, 1975). Given that he was one of the first to introduce the term to the research community, it is impressive that he had such foresight into the intricacies of burnout. These findings helped organizations understand that the environment at work was an important factor in influencing whether or not employees would burn out. In fact, most recent studies have demonstrated that it is the organizational and environmental influences—more so than the personal factors—that play the largest causal role in burnout (Halbesleben & Buckley, 2004; Maslach et al., 2001).

Almost simultaneously with Freudenberger's work, Christina Maslach, a social psychologist, was doing research on the emotional experience of health and human service employees (Maslach et al., 2001, 2009; Schaufeli & Buunk, 2003; Schaufeli et al., 2009b). After several participants discussed the emotional challenges of their work and described their feelings as *burnout*, she refocused her research efforts on identifying and defining this

occupational phenomenon (Maslach et al., 2009). Her goal in clarifying and understanding the cause of occupational burnout was to be able to create specific strategies to target these various symptoms.

Maslach later went on to develop the Maslach Burnout Inventory (MBI) assessment (Maslach & Jackson, 1981). The MBI is the most widely-used assessment of burnout. It is a validated tool that is considered to be the gold standard of burnout measures (Maslach & Jackson, 1981; Schaufeli & Buunk, 2003; Schaufeli et al., 2009b). Because both Freudenberger and Maslach first described the phenomenon in the context of human services professions, subsequent research initially also focused on these professionals, including correction officers, social workers, counselors, physicians, nurses, and teachers (Maslach & Jackson, 1981; Schaufeli & Buunk, 2003; Schaufeli et al., 2009b). At the time, burnout was conceptualized as being the result of one's desensitization or indifference toward clients or patients (Schaufeli & Buunk, 2003). However, successive research and repeated use of the MBI measure refined the definition of burnout. Today, employee burnout is defined by three distinct dimensions—exhaustion, cynicism, and professional inefficacy (Maslach et al., 2001, 2009; Schaufeli & Buunk, 2003).

Burnout Dimensions and Symptoms

Although an ongoing debate about burnout syndrome continues, the most frequently used definition encompasses a multi-dimensional approach (Schaufeli & Buunk, 2003). This multi-faceted definition addresses the individual experience, relational experience, and self-assessment dimensions. As Maslach et al. (2001) explained:

Job burnout [is] a psychological syndrome in response to chronic interpersonal stressors on the job. The three key dimensions of this response are an overwhelming exhaustion, feelings of cynicism and detachment from the job, and a sense of ineffectiveness and lack of accomplishment. The exhaustion component represents the basic individual stress dimension of burnout. It refers to feelings of being overextended and depleted of

one's emotional and physical resources. The cynicism (or depersonalization) component represents the interpersonal context dimension of burnout. It refers to a negative, callous, or excessively detached response to various aspects of the job. The component of reduced efficacy or accomplishment represents the self-evaluation dimension of burnout. It refers to feelings of incompetence and a lack of achievement and productivity at work. (p. 399)

While multiple operational definitions of burnout syndrome exist, five core characteristics are consistent across the board: (a) the experience of emotional fatigue; (b) cognitive, behavioral, and physiological symptoms; (c) burnout occurs in a work context; (d) individuals who are struggling with burnout are otherwise healthy and have had no prior mental, emotional, or behavioral dysfunction related to work; and (e) a negative impact on the quantity or quality of the work product (Schaufeli & Buunk, 2003).

Burnout symptoms. As the word “burnout” suggests, individuals who are suffering from burnout often feel drained, detached, and unsuccessful. The first and most common symptom people notice and report is an overall feeling of exhaustion (Maslach et al., 2001, 2009; Schaufeli & Buunk, 2003). The exhaustion manifests itself in two ways—physically and emotionally. Physically, people who suffer from burnout feel lethargic, fatigued, and no longer have the energy to do the type or the level of work they were once capable of producing (Maslach et al., 2001; Shirom, 2009). Emotional exhaustion is described as feeling empty as if the energy or excitement that people used to have for their work has been depleted (Maslach et al., 2001). In summary, an individual who is burned out is unmotivated to do their job (Maslach et al., 2001).

The experience of physical and emotional exhaustion leads to the second symptom of burnout—feelings of interpersonal detachment or an overall cynical perception of the job (Maslach et al., 2001, 2009). This results in the individual choosing consciously or subconsciously to distance him or herself from relationships in the workplace, including

colleagues, supervisors, other management staff, or even clients (Maslach et al., 2001; Schaufeli & Buunk, 2003). This negative attitude toward interpersonal relationships causes the individual to withdraw from others and from their work (Schaufeli & Buunk, 2003).

Finally, the third category of symptoms of burnout often emerges as a result of the interaction of the first two symptoms. The third and final symptom is that of inefficacy or feelings of lack of accomplishment (Maslach et al., 2001; Schaufeli & Buunk, 2003). An individual who suffers from burnout feels like he or she is not accomplishing as much as they used to in their job, and this often results in low professional confidence or self-esteem (Maslach et al., 2009). This symptom is especially detrimental to those employees who formerly identified with their work or looked at their professional success as a major contributor to their personal identity.

Symptom implications. Though distinct, these three categories of symptoms of burnout are interrelated and can exacerbate the negative feelings experienced by an individual. Moreover, burnout symptoms tend to leak into other areas of an individual's life. Studies have found a link between burnout, relational issues, cardiovascular health, and even substance abuse issues (Maslach, 2001; Maslach et al., 2001). For instance, challenges in the workplace may negatively affect an individual at home by resulting in arguments with one's partner. Because burnout is a multi-dimensional and complex syndrome, it impacts an individual on many levels and is especially difficult to treat. The first step to proper treatment is an accurate diagnosis and an early intervention.

Differential Criteria

Burnout syndrome is often mischaracterized and misdiagnosed by medical professionals and mental health professionals (Maslach et al., 2001). Some of the psychological and behavioral symptoms are similar to those of other disorders, making it difficult to detect by the untrained eye. However, although some experienced symptoms may overlap, burnout is substantiated in research as a unique phenomenon (Maslach, 2001; Maslach et al., 2001, 2009; Maslach & Jackson, 1981). Moreover, because burnout may occur simultaneously with other

psychological or behavioral problems or may even exacerbate symptoms, understanding the differential diagnostic criteria is important. The frequently misattributed diagnoses and misclassifications include those for major depressive disorder, anxiety disorder, dysthymia, job dissatisfaction, compassion fatigue, and chronic fatigue syndrome (Maslach et al., 2001).

Although burnout syndrome is supported by research, it is not an official diagnosis recognized in the *International Statistical Classification of Diseases and Related Health Problems (ICD-10)*, the internationally used diagnostic manual. Furthermore, although burnout is considered a psychological syndrome, it is not yet listed in the *Diagnostic and Statistical Manual (DSM-5)*, the official handbook of mental health disorders published by the American Psychiatric Association (2013). Because burnout does not have a medical diagnosis and therefore cannot be covered by insurance, some doctors and mental health professionals may opt to use a diagnosable disorder in order to get reimbursed (Korczak, Huber, & Kister, 2010). As a result, burnout syndrome may be significantly underreported in the medical and mental health communities.

Major depressive disorder. Major depressive disorder (MDD) is a diagnosable mental health disorder. It is in a larger class of mood disorders that are identified in the *Diagnostic and Statistical Manual of Mental Disorders (DSM)*, as published by the American Psychiatric Association (2013). Major depressive disorder is characterized by an individual experiencing symptoms for a period of at least two weeks, such as a depressed mood, decreased interest in activities that were previously pleasurable for him or her, impacted sleep or appetite (including increase or decrease), fatigue, and feelings of worthlessness, as well as a negatively impact on one's cognitive functioning and the potential of suicidal thoughts (American Psychiatric Association, 2013).

Because these symptoms are similar to those of burnout syndrome, individuals who are experiencing burnout are often misdiagnosed as having major depressive disorder (Maslach et al., 2001). Moreover, studies have demonstrated that jobs with high psychological stress can

result in the subsequent development of depressive symptoms, making the discrimination between these two diagnoses even more challenging (Mausner-Dorsch & Eaton, 2000). However, unlike MDD, which is irrespective of a specific environment and typically generalized across all areas of one's life, burnout exclusively occurs in the professional context as a result of a workplace stressor (Bakker, Schaufeli, Demerouti et al., 2000; Maslach et al., 2001; Schaufeli & Buunk, 2003). A medical or mental health professional can increase the likelihood of making the correct diagnosis by understanding the context under which the individual developed his or her symptoms.

Studies do suggest some overlap between depressive disorders and burnout happens, in that an individual can experience both burnout and depression simultaneously (Schaufeli & Buunk, 2003). Furthermore, long-lasting and severe cases of burnout can also result in depression, and the opposite is also true, although less likely (Schaufeli & Buunk, 2003). However, researchers have concluded that burnout and depression are, in fact, two distinct phenomena (Glass & McKnight, 1996). Therefore, it is important for the medical doctor or mental health professional to pay particular attention to how the symptoms originated and when they are exacerbated.

Anxiety disorders. The *DSM-5* (American Psychiatric Association, 2013) identified several classes of anxiety disorders. Although the diagnostic criteria for each of the disorders vary, the emotional experience of the individual is characterized by feelings of nervousness, worry, dread, or inner restlessness. Individuals suffering from burnout may be misdiagnosed as having generalized anxiety disorder, which is characterized by excessive worry over an extended period of time, as well as feelings of fatigue, irritability, and edginess.

Unlike burnout, generalized anxiety disorder is often due to several factors, and is not simply related to work. At times, the cause of the anxiety may even be unclear to the individual, who experiences the symptoms but is unable to attribute them to any particular cause (American Psychiatric Association, 2013). Additionally, the anxiety may be as a result of a

biological predisposition or a medical condition. Moreover, the feelings of anxiety that individuals experience may be out of proportion to the actual event. To make a differential diagnosis, the medical professional should determine if the feelings of anxiety are due to the individual's worries about work and are in proportion to the actual work experience, or if the level or intensity of anxiety seems out of place and is generalized across various contexts of the individual's life.

Dysthymia. Dysthymia, or persistent depressive disorder, is a general state of unhappiness or depression that occurs for more days than not for a period of two or more years (American Psychiatric Association, 2013). Similar to major depressive disorder, an individual must meet certain criteria in order to receive a diagnosis of dysthymia, including a change in appetite, fatigue, or change in sleep patterns (American Psychiatric Association, 2013). Although individuals who are struggling with burnout may experience depressed feelings similar to what one might experience with dysthymia, negative feelings associated with burnout are due to their relationship with their work (Schaufeli & Buunk, 2003). To make this distinction, a medical or mental health professional can clarify when the individual started to feel these feelings and in which context. If the feelings began as a result of disillusionment with his or her job, the depressed feelings may be a symptom of the burnout. However, an individual who is simply experiencing an emotional disturbance and is not burned out may just have a low or consistent state of depression throughout his or her life that is not necessarily related to their professional endeavors or interpersonal issues in the workplace (Schaufeli & Buunk, 2003). A good place to start in making a differential diagnosis is to examine whether or not the emotions are limited to the workplace setting (Schaufeli & Buunk, 2003).

Job dissatisfaction. A 2014 *Forbes* article (Adams) stated that over half of all Americans are unhappy with their work. Many people may feel dissatisfied with a particular part of their job or with their overall career at some point in their lives. However, feeling dissatisfied with one's job is not analogous to burnout. Though individuals who are burned out may also

discuss dissatisfaction with work, researchers have yet to identify a clear correlation between these two distinct phenomena (Maslach et al., 2001).

Compassion fatigue. Compassion fatigue may have different meanings depending on the context. In a broader sense, compassion fatigue refers to the state of being emotionally desensitized or indifferent to a type of individual or a specific cause with which one has frequent contact (Gentry, 2002). For example, an individual who is regularly asked to make a donation to some organization may build up an emotional tolerance against such requests and is no longer influenced by the moving appeal or swayed to donate. Experienced parents may build up a tolerance against the requests and pleas of their children to the point of no longer being influenced by emotional appeals for a cookie before dinner.

In a professional context, compassion fatigue refers to the emotional state of being numb in order to consciously or subconsciously protect one's emotions from the pain and suffering of another individual (Gentry, 2002). Also known as secondary traumatic stress (STS), this phenomenon is often observed in caretakers, trauma workers, and mental health professionals who regularly work with clients who have experienced some type of physical or emotional trauma in their lives. Though compassion fatigue may be confused with cynicism, the second dimension of burnout that results in an overall negative perception of one's work and clients (Maslach et al., 2001; Levin et al., 2011), individuals suffering from compassion fatigue do not necessarily distance or detach from their clients (Gentry, 2002). In some cases, the symptoms they experience are similar to those of posttraumatic stress disorder, which impacts individuals who have experienced or witnessed some type of perceived life-threatening trauma first-hand. In other situations, individuals with compassion fatigue may even feel more drawn to their client and have a deep desire to help them (Gentry, 2002).

Chronic fatigue syndrome. Chronic fatigue syndrome (CFS) is a condition in which an individual consistently feels exhausted for an extended period of time (Schaufeli & Buunk, 2003). CFS is often misdiagnosed or goes unidentified simply because there are no biological

markers for the disorder. Because blood tests, scans, or other objective measures do not detect CFS, patients often get the diagnosis after other potential causes for the symptoms are ruled out (Leone, Wessely, Huibers, Knottnerus, & Kant, 2011). Although the experience of fatigue may be similar to that which one might feel when he or she is experiencing burnout, CFS has more of a physiological origination and manifestation, including symptoms such as a frequent sore throat, muscle weakness, and frequent headaches (Leone et al., 2011; Schaufeli & Buunk, 2003). Burnout, on the other hand, has a significant emotional component (Leone et al., 2011; Schaufeli & Buunk, 2003).

Additionally, both CFS and burnout are often attributed to high-achieving people. Specifically, both are often the result of people feeling overloaded and under-supported to the point that they start to develop symptoms (Leone et al., 2011). Perhaps the biggest distinction between CFS and burnout is that CFS does not account for the interpersonal and self-assessment elements that are addressed in the multi-dimensional definition of burnout. At times, the cause of CFS may be entirely unclear (Leone et al., 2011; Schaufeli & Buunk, 2003). Therefore, if a client is feeling fatigued and attributes symptoms to feeling disillusioned with work or is failing to perform at pre-symptom levels, it is likely that this client may be experiencing burnout (Schaufeli & Buunk, 2003).

Maslach Burnout Inventory (MBI)

The Maslach Burnout Inventory (MBI) is a reliable and valid self-report measure that assesses all three dimensions of burnout. Originally, there was only one version of the MBI, which was first created in 1981. This measure was designed specifically to address symptoms of burnout in health and human services professionals (Maslach & Jackson, 1981; Maslach et al., 2009). Since then, the MBI has been revised several times. Today, three versions of the assessment are available—MBI—Human Services Survey (MBI-HSS), MBI—Educators Survey (MBI-ES), and the MBI—General Survey (MBI-GS) for all other professions that are unaccounted for in the other two versions (Maslach, Jackson, & Leiter, 1996).

The MBI is considered the gold standard measure because it is the most widely used measure of burnout (Halbesleben & Demerouti, 2005; Maslach & Jackson, 1981; Schaufeli et al., 2009b; Schaufeli & Buunk, 2003). A 2002 (Boudreau & Nakashima) bibliography of the burnout literature available from the years 1990 to 2002 showed that a vast majority of the articles—approximately 90%—utilized the MBI. Additionally, it is often the selected measure because its items clearly ask the participants about all three dimensions of burnout—exhaustion, cynicism, and inefficacy (Maslach et al., 2009; Schaufeli & Buunk, 2003). The measure asks participants to rate themselves on various items using a Likert scale (Maslach et al., 1996). Sample items include statements such as “I feel emotionally drained from my work,” “I feel I’m positively influencing other people’s lives through my work,” “I feel fatigued when I get up in the morning and have to face another day on the job,” and “I worry that this job is hardening me emotionally” (Maslach & Jackson, 1981, pp. 102–103).

Additional Measures

Although the Maslach Burnout Inventory (MBI) is most frequently used in the assessment of burnout, other measures exist that also study this phenomenon (Schaufeli & Buunk, 2003; Schaufeli et al., 2009b). These various measures may not necessarily conform to the idea of the three-dimension model of burnout, which is the assumption under which the MBI was created. For this reason, consideration of other measures in order to explore the additional conceptual understanding of burnout as a construct is important. Because the research on burnout is still a fairly new topic, openness to various definitions is important in order to most accurately understand the nuances and intricacies of this phenomenon that may not be detectable by simply using one measure.

Shirom-Melamed Burnout Measure. The Shirom-Melamed Burnout Measure (SMBM) is an alternate option to the MBI. The SMBM conceptualizes burnout as an issue of diminished energetic resources (Shirom, 2009; Shirom & Melamed, 2006). As a result of long-standing

occupational stress, individuals may lose their impetus to safeguard their resources. A depletion of these resources ultimately results in burnout (Shirom & Melamed, 2006).

Oldenburg Burnout Inventory. The Oldenburg Burnout Inventory (OLBI) was developed to address perceived deficiencies in the MBI (Halbesleben & Buckley, 2004; Halbesleben & Demerouti, 2005). Unlike the MBI, the OLBI utilizes two dimensions—exhaustion and disengagement (Halbesleben & Buckley, 2004). It conceptualizes burnout syndrome utilizing the job demands-resources model, which posits that the likelihood of burnout increases or decreases depending on the interaction between job demands and availability of job resources (Demerouti, Bakker, Nachreiner, & Schaufeli, 2001; Demerouti, Mostert, & Bakker, 2010). When demands are high and resources are low, employees are at greater risk of burnout. When demands are low and resources are high, employees are at the lowest risk of burnout. However, even if job demands are high, when employees have access to appropriate and sufficient resources they will not necessarily get burned out solely due to the demands of the job. The resources serve as protective factors. The OLBI is a two-scale measure that includes dimensions reminiscent of those in the MBI—physical and emotional exhaustion and disengagement (Halbesleben & Demerouti, 2005; Lundkvist, Stenling, Gustafsson, & Hassmen, 2014). Studies have shown that this construct is valid and is a reasonable and reliable substitute for the MBI (Demerouti et al., 2010; Halbesleben & Demerouti, 2005).

Specialty burnout measures. There are also various measures that are specific to certain fields, and the selection of these various tools is vast. For instance, the Francis Burnout Inventory is specifically utilized to measure burnout in the clergy (Randall, 2013). Instead of the three scales of exhaustion, cynicism, and lack of accomplishment on the MBI, the Francis Burnout Inventory is a two-scale measure. Its scales include the Scale of Emotional Exhaustion in Ministry and the Satisfaction in Ministry Scale (Randall, 2013). Additional specialized assessment measures include the Athlete Burnout Questionnaire and its coach version, the

Coach Burnout Questionnaire (Lundkvist et al., 2014), and the Copenhagen Burnout Inventory (Maroco & Bonini Campos, 2012), among others.

Burnout is not an exact science. Although these and other assessments exist to measure an individual's level of burnout, there is no exact score or threshold that signifies whether or not someone is burnt out (Maslach & Jackson, 1981). Instead, the assessments measure the intensity of symptoms in each dimension, rather than a presence or absence of burnout (Maslach & Jackson, 1981). Because there is no objective measure such as a blood test or medical exam, utilizing a variety of tools is important when assessing a population, in order to get the most accurate results.

Environmental Characteristics

Burnout syndrome occurs when an individual experiences chronic occupational stress for an extended period of time (Leignel et al., 2014; Maslach et al., 2001). One significant factor that can contribute to the experience of stress is the work environment (Maslach et al., 2001). Certain characteristics of an organizational work environment pose as red flags or risk factors and can increase the likelihood that employees will experience burnout. The various areas of work life determine whether an individual is a good fit for a company and can affect whether or not burnout will occur (Halbesleben & Buckley, 2004; Leiter & Maslach, 2009; Schaufeli & Buunk, 2003). The areas of work life include job demands, control, availability of resources, rewards, a sense of community, equity, values, and feelings of disappointment (DeFreese & Smith, 2013; Leiter & Maslach, 2009; Maslach & Leiter, 2008; Schaufeli et al., 2009b).

Job demand and perceived control. When employees experience chronic stress in the workplace, it is often a result of a highly demanding work environment (Halbesleben & Buckley, 2004). These types of environments with a lot of workload significantly increase the chances of burnout (Demerouti et al., 2001; Leignel et al., 2014). Highly demanding jobs may include those in which the employee feels conflicted about his or her role (Maslach et al., 2001); for example, an environment in which the employee is consistently presented with conflicting demands

increases the likelihood of burnout (Schaufeli & Buunk, 2003). Highly demanding jobs may also include those where the employee is unclear about his or her responsibilities or how to appropriately complete tasks; has more work to complete than is possible during the given hours in the workday; or where the employee works with particularly demanding clients or serious cases (Maslach et al., 2001; Schaufeli et al., 2009b).

These high-stress work environments are especially detrimental to employees' well-being when employees have little control over their jobs. A study (Escriba-Aguir, Martin-Baena, & Perez-Hoyos, 2006) on the psychosocial work environments of emergency room staff found that having low job control increased the likelihood of developing burnout. Low-control work environments include those in which the employee does not have the autonomy or authority to properly complete his or her tasks; does not have a say about how or when the work is completed; does not have input as to the type of work he or she is assigned; or may not have control over work outcomes. For example, an entry-level position is a typical low-control environment for an employee. Entry-level staff typically have little, if any, power to customize their work experiences.

Job demand and availability of resources. Research has demonstrated that highly demanding work environments can increase the likelihood of burnout (Halbesleben & Buckley, 2004). However, that is not the entire story. New studies on job demands and work resources have found that highly demanding work environments are the most detrimental to an employee's health when the employee does not have resources available to offset the stressors (Leignel et al., 2014; Schaufeli & Bakker, 2004; Schaufeli et al., 2009a). Using the Questionnaire on the Experience and Evaluation of Work (QEEW), Schaufeli, Bakker, & Van Rhenen (2009a) examined four separate types of resources—(a) interpersonal, (b) educational opportunities, (c) availability and quality of performance critiques, and (d) the level of autonomy. The study found that when these resources were lacking or nonexistent, the likelihood of employee burnout increased (Schaufeli et al., 2009a). Moreover, the presence of these

resources did not only decrease instances of burnout but also increased feelings of engagement among employees (Schaufeli & Bakker, 2004; Schaufeli et al., 2009a). Interestingly, researchers also found similar trends among working couples. Working couples who had more resources readily available to them—including resources in the home—were less likely to feel burned out and more likely to be engaged (Bakker, Demerouti, & Schaufeli, 2005).

Rewards & recognition. Rewards and recognition are significant components of a healthy work environment (Maslach & Leiter, 2008) and may include things such as fair and competitive compensation and even a simple “thank you” from supervisors. Organizations that manage employees’ performance through positive reinforcement have a more engaged work staff (Mone, Eisinger, Guggenheim, Price, & Stine, 2011) and protect their employees from developing burnout (Demerouti et al., 2001; Maslach & Leiter, 2008). A 2009 study (Leiter & Maslach) examined the relationship between rewards and recognition and the three subscales of burnout in nurses. Researchers found a direct correlation between rewards and recognitions and the subscale of cynicism, in that when reward dissemination was unjust or inequitable, nurses were more likely to experience burnout (Leiter & Maslach, 2009).

A 2011 study (Mone et al.) on the relationship between performance management and engagement—the positive opposite of burnout—showed that providing consistent feedback and recognition to employees was positively correlated with employee engagement. Employees who receive recognition at work are more likely to be happy (Fisher, 2010) and engaged (Mone et al., 2011), and therefore are at a lower risk of becoming burned out. The link between rewards and recognition and burnout is clear (Demerouti et al., 2001; Leiter & Maslach, 2009; Maslach & Goldberg, 1998). As Maslach & Leiter (2008) summarized, “insufficient reward (whether financial, institutional, or social) increase people’s vulnerability to burnout” (p. 500).

The sense of community. Having positive and supportive relationships at work with colleagues and supervisors has consistently been demonstrated to be a protective factor against burnout (DeFreese & Smith, 2013; Demerouti et al., 2001; Halbesleben & Buckley,

2004; Schaufeli & Buunk, 2003; Schaufeli et al., 2009a). Supportive relationships make employees feel like they are a part of a team, and contribute to their overall levels of happiness and engagement. For example, a study (Sand & Miyazaki, 2000) examined burnout among salespeople and found that burnout was inversely related to social support. When employees had support at work, they were less likely to experience burnout symptoms (Sand & Miyazaki, 2000).

Fairness in the workplace. When employees perceive that their organization does not treat employees fairly and consistently, they are more likely to experience burnout (DeFreese & Smith, 2013; Halbesleben & Buckley, 2004; Leiter & Maslach, 2009; Maslach & Goldberg, 1998; Maslach & Leiter, 2008). “Fairness is the perception of fair decisions and respectful treatment at work” (DeFreese & Smith, 2013, p. 181). This construct can also be conceptualized as one that may fit under the umbrella of employee control. When decisions in the workplace are unbiased, objective, consistent, and transparent, employees may feel like they have more control over their positions and how well they do. They experience their workplace as being just (Halbesleben & Buckley, 2004). However, when the work environment is unfair, such as when a supervisor or management play favorites or the process through which promotions and raises are given seems inconsistent, employees may feel that they do not have control over whether or not they are successful in the workplace. Work environments that tolerate nepotism, favoritism, and preferential treatment of some individuals or departments over another are likely to contribute to burnout among the marginalized staff (Halbesleben & Buckley, 2004).

Mismatched values. Some employees have the unfortunate experience of working in an industry or an organization where their personal ethics and values are misaligned with that of their professional role. This discrepancy can create emotional discomfort for the employee and result in an ethical conflict (Halbesleben & Buckley, 2004; Kammeyer-Mueller, Simon, & Rich, 2012). “Ethical conflict primarily arises when one must choose between two competing principles for behavior. In many cases, ethical conflict occurs when there is a divergence

between an employee's own beliefs regarding ethical behavior and the employer's beliefs regarding ethical behavior" (Kammeyer-Mueller et al., 2012, p. 786). When an individual's values are incongruent with the organization's values, an individual is more likely to develop burnout (Halbesleben & Buckley, 2004).

Disappointment. Another environmental risk factor contributing to burnout is that of disappointment—when employee expectations are not met (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003). The organizational environments that have high rates of disappointment are those where employees expect their job to be one particular way but the reality of their jobs is significantly different from that which they expected (Halbesleben & Buckley, 2004). For example, disappointment may occur when an entry-level employee who just graduated from college does not have realistic expectations of the professional world, or when an employer misrepresents the day-to-day tasks of a particular role within the company in order to make the job seem more enjoyable to a desirable candidate. Workplace disappointment is most highly correlated with employee burnout when the employee does not like his or her job but has a highly specialized degree or a unique set of skills that do not afford him or her the opportunity to transfer to another career or department. This contributes to burnout because the employee feels stuck—which can be conceptualized as being similar to a low-control environment (Escriba-Aguir et al., 2006).

The various areas of an organizational environment—including workload, control and autonomy, availability of resources, rewards, and recognitions, a sense of camaraderie, fairness and transparency, aligned values, and feelings of disappointment—can occur in an organization simultaneously or in any combination of factors. Although these high-risk environmental factors are not unique to lawyers, they are typical of and quite common in the legal profession (Bourg Carter, 2006; Seligman et al., 2005). Subjecting lawyers to these working environments causes chronic stress that can lead to burnout among legal professionals (Leignel et al., 2014).

Individual Characteristics

Research has demonstrated that environmental and organizational characteristics play the most significant role in contributing to employee burnout (Halbesleben & Buckley, 2004; Maslach et al., 2001). However, certain individual factors can help or hinder an employee's ability to manage workplace challenges (Maslach et al., 2001). Individual differences determine how an employee will respond to burnout (Halbesleben & Buckley, 2004; Langelaan, Bakker, van Doornen, & Schaufeli, 2006; Schaufeli & Buunk, 2003). Research has found that personality traits (Halbesleben & Buckley, 2004; Hurt, Grist, Malesky, & McCord, 2013; Kim, Shin, & Swanger, 2009) and emotional intelligence (Durán, Extremera, & Rey, 2004; Gutierrez & Mullen, 2016) are correlated with burnout symptoms.

Personality traits. Researchers have demonstrated that an individual's personality plays a significant role in predicting burnout (Halbesleben & Buckley, 2004; Hurt et al., 2013; Kim et al., 2009). Specifically, studies have examined the relationship between burnout and the Five-Factor Personality Model, commonly known as the Big Five (Hurt et al., 2013; Kim et al., 2009). The Big Five personality factors include neuroticism, extraversion, openness, agreeableness, and conscientiousness (Northouse, 2013). Researchers have found that burnout is positively correlated with the Big Five trait of neuroticism—the tendency to experience depression, anxiety, or other emotional distress (Halbesleben & Buckley, 2004; Hurt et al., 2013; Kim et al., 2009; Kim, Shin, & Umbreit, 2007; Langelaan et al., 2006). The higher an individual rates on the subscale of neuroticism, the more likely he or she is to experience burnout.

Emotional intelligence. Research has shown that one's emotional intelligence (EQ) is closely linked to one's likelihood of developing burnout (Durán et al., 2004; Gutierrez & Mullen, 2016). This is because individuals who have a higher EQ are more capable of accurately identifying and coping with one's emotional experiences. Emotional intelligence consists of five distinct elements:

- Self-awareness: one's ability to recognize and label one's emotional experience
- Self-regulation: the capacity to manage one's emotional experience
- Motivation: having the capability to stay driven and work toward a goal
- Empathy: the ability to identify and understand the emotional experience of another person, including his or her wants and needs, as well as be comfortable with a point of view being different than one's own
- Social skills: the proficiency in interacting with other people and eliciting the desired response (Goleman, 1995, 1998).

Several studies have demonstrated a significant negative correlation between burnout syndrome and emotional intelligence (Durán et al., 2004; Gutierrez & Mullen, 2016; Vinje & Mittelmark, 2007; Weng et al., 2011). Therefore, individuals who have lower emotional intelligence are much more likely to develop burnout, whereas those with a high EQ are better able to cope. A study (Vinje & Mittelmark, 2007) on job engagement and nurse burnout found that nurses who were able to be more introspective found creative ways to cope with burnout and restore engagement. However, nurses who were not able to successfully identify and reflect on their experiences were more likely to burn out and be dissatisfied with their jobs (Vinje & Mittelmark, 2007).

Protective Factors for Prevention

In today's fast-paced, technologically-advanced environment, many professionals feel the pressure to do more. However, not every professional who experiences workplace stress will actually burn out. Due to individual differences, the presence or absence of high-risk environmental conditions alone cannot predict burnout. Burnout is not black and white. In addition to the environmental and individual risk factors, categorized protective factors can safeguard an individual and reduce the chances developing burnout (Halbesleben & Buckley, 2004).

Resources. One factor that has been shown to decrease the likelihood of burnout is job resources. Studies have shown that even when stress is high and work demand is high, the mere availability of job resources are protective factors for employees (Demerouti et al., 2001; Demerouti et al., 2010). These job resources offset the negative effects of the stress by helping employees feel supported. As Demerouti et al. (2001) explained:

Job resources refer to those physical, psychological, social, or organizational aspects of the job that may do any of the following: (a) be functional in achieving work goals; (b) reduce job demands at the associated physiological and psychological costs; (c) stimulate personal growth and development (p. 501).

These resources may be both internal and external. Whereas internal resources include those that relate to an individual's emotional or cognitive functioning—their internal world—external resources are those that are interpersonal or organizational—their external world (Demerouti et al., 2001). Organizations can help develop both internal and external resources through a company's structure, organizational culture, and initiatives that support a work-life balance.

Relationships. An additional factor that can protect individuals from developing burnout is having quality, supportive relationships (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003). Relationships not only help people feel less lonely but can also provide individuals with much-needed support, especially when feeling stressed out. A 2012 study (Lin & Huang) looked at the connection between loneliness and learning burnout among 100 college students and found that individuals who reported more loneliness were also more likely to develop burnout. Moreover, the authors concluded that these negative effects can have a further detrimental impact on the students and that “without proper interpersonal social support and resources, loneliness might have an adverse impact on [the student's] self-identity, and physical and mental development” (Lin & Huang, 2012, p. 239).

Antidote to Burnout

The right combination of environmental and individual protective factors can guard a professional against developing burnout (Bourg Carter, 2006). However, the opposite of being burned out is not necessarily a positive or fulfilling experience. The reverse of burnout is simply not being burned out—a rather neutral state. This means that employees who may not technically meet the diagnostic criteria for burnout may still be unhappy with their work. In approximately the last ten years, burnout researchers have started to focus on how to help employees thrive in the workplace, rather than simply eliminate symptoms of burnout (Maslach & Leiter, 2008). Researchers have identified engagement as an antidote to burnout (González-Romá, Schaufeli, Bakker, & Lloret, 2006; Maslach et al., 2009; Schaufeli & Bakker, 2004).

Studies on the relationship between burnout and engagement found that these two constructs are inversely correlated (González-Romá et al., 2006; Schaufeli & Bakker, 2004; Schaufeli et al., 2009a). Moreover, when an individual is engaged in his or her work, the importance of the other environmental and individual risk factors seem to diminish. For example, two employees may work at the same role within the same company, which demands the same level and quality of product from each of them. They may also experience seemingly an identical amount of stress. However, if one employee is engaged with his or her work and the other is not, the mere state of being engaged may protect this employee from getting burned out, even though all the other factors remain consistent across the board. Engagement is key. Researchers have found similar trends across various professions, including occupational therapists (Poulsen et al., 2014), oral and maxillofacial surgeons (Gorter, Jacobs, & Allard, 2012), and college athletes (DeFreese & Smith, 2013), as well as university students (Schaufeli, Martinez, Pinto, Salanova, & Bakker, 2002).

Burnout and engagement can coexist. Although engagement is considered to be an antidote to burnout, recent studies have shown that the two constructs can exist simultaneously. A 2010 study (Demerouti et al.) that looked at the correlation between the Maslach Burnout

Inventory, Oldenburg Burnout Inventory, and the Utrecht Work Engagement Scale found that burnout and engagement are not mutually exclusive. This means that an individual may feel engaged in their work, but simultaneously experience symptoms of burnout, such as feelings of exhaustion or cynicism. Therefore, although these constructs are interrelated, they are also independent of one another (Demerouti et al., 2010). The presence of burnout does not suggest a complete absence of engagement, and the absence of burnout does not necessarily imply the presence of engagement.

Outcomes

As the exhaustion and detachment dimensions suggest, burnout has a negative impact on an individual's physical and emotional health. However, more than just impacting the individual, burnout syndrome has serious implications for the organizational health and interpersonal health (Schaufeli & Buunk, 2003). As an employee struggles to manage these difficult symptoms and resolve the syndrome, his or her condition can affect the company's bottom line and relationships in and outside of work.

Job performance and company bottom line. Why should organizations care about employee burnout? Individual burnout impacts organizations in several ways. First, individuals who are burned out are more likely to quit their jobs. A 2010 study (Du Plooy & Roodt) found a significant positive correlation between employee burnout and turnover rates. Turnover negatively impacts the organization's bottom line, as it is time-consuming and costly to replace a particular individual. If this employee is in a senior role, is a high-producing employee, or has a highly-specialized role, replacing this individual will prove even more difficult. Additionally, turnover has a negative impact on employee morale. Very high attrition rates have an adverse emotional effect on the motivational levels of the remaining employees.

Second, individuals who are burned out may make more errors while at work. An employee who is experiencing burnout is disengaged with their work, and may not be as detail-oriented as they once were. A 2009 study (Prins et al.) looked at the relationship between

burnout and self-reported errors and found that physicians who were experiencing burnout were more likely to report making regular errors at work. This increase in mistakes has serious implications for the company's bottom line. First, the individual may have to spend more time correcting their errors or his or her colleagues may have to correct the errors, which directly increases the time required to complete a particular task. Additionally, frequent mistakes can result in the company losing clients or patients, due to their dissatisfaction with the quality of the work. Finally, and especially in situations such as medical care, employee errors may result in a costly lawsuit of negligence.

Third, employees who are burned out at work but choose to not leave their jobs (perhaps due to financial constraints) may negatively impact the experience of other employees. Studies have demonstrated that burnout can spread to other employees, due to its social and interpersonal nature (Halbesleben & Buckley, 2004). Because burnout results in detachment and cynicism, individuals struggling with these symptoms may have destructive attitudes toward their clients, the work they do, or their organizations. This type of attitude is sure to impact their colleagues by either irritating them or highlighting all of the undesirable aspects of their jobs.

Additionally, research has repeatedly demonstrated that emotions are contagious. An employee who is emotionally drained can have a detrimental impact on the emotions of his or her colleagues. Several research studies have confirmed that burnout is, in fact, contagious (Bakker, 2009; Bakker, Demerouti et al., 2005; Bakker, Le, & Schaufeli, 2005; Bakker & Schaufeli, 2000). Burnout contagion also impacts people at various levels of a hierarchy within an organization. This means that burnout among senior level management staff may result in burnout among their subordinates, and vice versa (Westman & Etzion, 1999).

Interpersonal impact. A research study on the impact of a spouse's feelings of burnout or engagement on his or her partner confirmed that burnout is also contagious among spouses, even if they do not work in the same occupational setting (Bakker, 2009; Bakker, Demerouti et al., 2005). These studies have important implications for several reasons. First, these findings

show that although burnout originates in the professional setting, its negative effects are not simply confined to an individual's workplace. Burnout follows the employee wherever he or she goes, and negatively impacts other areas of life, including relationships and home life. Additionally, when both partners are burned out, feeling physically and emotionally exhausted, and on edge, this can contribute to issues within the relationship. Finally, the studies on job demands-resources models have confirmed that when resources are high, the likelihood of burnout is lowered (Demerouti et al., 2001; Demerouti et al., 2010).

A healthy spouse is potentially a great resource for a stressed-out professional as the spouse can provide social support, which can play a significant role in reducing the likelihood of burnout (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003). When both partners are burned out, this increases stressors at home and decreases available resources. A 2005 study (Bakker, Demerouti et al.) that specifically examined burnout crossover among spouses found that the environment at home was just as important as the environment at work when it comes to employee burnout. The researchers looked at three home-demand scales, including "overload, emotional demands, and cognitive demands" and two home-resources scales, including "home autonomy and social support" (Bakker, Demerouti et al., 2005, p. 670). The study reinforced the importance of spousal support, finding that the interactions between home demands and home resources mirrored those in the job demands-resources model—when resources were high, they offset the negative effects of high demands (Bakker, Demerouti et al., 2005).

Burnout Research in Professional Contexts

Burnout was first observed and researched in the context of health and human services professions (Maslach & Jackson, 1981; Schaufeli & Buunk, 2003). As a result, the majority of the research continues to focus on this category of jobs. Health and human service jobs include medical professionals, counselors, police officers, nurses, physicians, and educators (Maslach & Jackson, 1981; Schaufeli & Buunk, 2003; Schaufeli et al., 2009b). This research is significant

as a key dimension of burnout is the detachment that one feels towards his or her clients or patients.

Although attorneys have not been typically considered as a part of this category, their profession also involves working closely with people and serving their clients, first and foremost. Previous findings for other professional groups may be considered when examining burnout with attorneys, as the legal profession is also one that is highly demanding. However, the legal profession is also very unique, and therefore, the findings in the other studies may not be generalizable. Therefore, a specific examination of the current legal climate and the unique characteristics of the legal profession that may be contributing to attorney burnout is important.

Legal Climate Overview

As an occupational group, lawyers are significantly less happy and healthy than their peers in other professions (Beck et al., 1995; Bourg Carter, 2006; Chambers, 2014; Eaton et al., 1990; Levit & Linder, 2010; Rhode, 2000; Rothstein, 2008; Schiltz, 1999; Seligman et al., 2005; Ward, 2007). In the last 30 years, researchers, mental health professionals, law professors, and lawyers themselves have started to focus on the disenchantment of legal professionals and the changing legal climate in which they practice. In his article, Notre Dame Law School associate professor Schiltz (1999) forewarned his students that the legal profession is “one of the most unhappy and unhealthy on the face of the earth” (p. 872). Dozens of articles recounting anecdotal evidence, professional surveys, and empirical studies have all highlighted the growing dissatisfaction within the legal profession, emphasizing the implications for attorneys, consumers, and the society-at-large (Benjamin et al., 1990; Bourg Carter, 2006; Chambers, 2014; Dolan, 1995; Eaton et al., 1990; Flores & Arce, 2014; Hagan & Kay, 2007; Heinz, Hull, & Harter, 1999; Jones, 2006; Monahan & Swanson, 2009; Organ, 2011; Rhode, 2000; Seligman et al., 2005; Schiltz, 1999; Stake et al., 2007; Ward, 2007; Weiss, 2013; Williams, 2008). In order to better understand the issues within the legal profession, one must first examine the context in which they exist.

Lawyer population statistics. The American Bar Association (ABA) estimates that there are over 1.3 million attorneys in the United States and its territories (2016). The State of California has the second largest population of attorneys at over 167,000, only surpassed by the State of New York with over 175,000 attorneys (American Bar Association, 2016). The State Bar of California reports slightly higher numbers, listing their active membership at 187,000 (2016b). However, this does not necessarily mean that these individuals are practicing law as a profession but simply that they are eligible to do so in the State of California (State Bar of California, 2016c). Members whose statuses are inactive or not eligible comprise over a quarter of California attorneys (State Bar of California, 2016b). These designations encompass those attorneys who are either voluntarily or involuntarily disqualified from practicing law in the State of California (State Bar of California, 2016c). Moreover, these demographics are incomplete as they do not include former members who have been disbarred or resigned (State Bar of California, 2016c). Still, it is clear that lawyers encompass a large population in the United States, and are a highly sought-after profession in California specifically.

Salary statistics. The United States Bureau of Labor Statistics reported that in 2015, the average salary in the United States across all occupations was just over \$48,000. To contrast, the average United States attorney made a salary of \$136,260 that same year (U.S. Bureau of Labor Statistics, 2015). However, different sources paint an alternate picture. The *U.S. News and World Report* (2014) listed the median salary for U.S. attorneys at \$114,970, with a range from less than \$55,400 on the low end to over \$187,199 on the high end. The wide range in salaries is explained by the fact that attorneys who work in the largest law firms typically make a significantly larger salary, whereas attorneys who work for themselves, in a nonprofit setting, or at a smaller law firm make a salary in the low-to-mid-range.

Moreover, the *U.S. News and World Report* (2014) stated that some of the highest paid attorneys reside in Los Angeles, San Francisco, and San Jose. This report also shows that the average salaries for attorneys have consistently increased over the last ten years, with a large

soar from 2008 to 2010 (*U.S. News & World Report*, 2014). No matter which statistics are utilized, it is clear that most lawyers make a salary significantly over the national average (U.S. Bureau of Labor Statistics, 2015), and their earning potential continues to grow (*U.S. News & World Report*, 2014).

Academic statistics. On the academic side, students are continuing to enroll in law schools to pursue careers in the legal field (Dolin, 2007). However, some polls have shown a steady decline in law school applications. A report by the American Bar Association (2015) has shown that although law school enrollment peaked in 2010, enrollment has steadily dropped since then. Since 2010, enrollment has declined almost 30% (American Bar Association, 2015). A 2016 news article (Kitroeff) reported that even the top tier law schools—those that historically attract the most students due to the schools’ reputations—are also seeing a drop in their enrollment numbers. Even with the decreasing number of applicants, the American Bar Association department of Legal Education and Admissions to the Bar reported almost 40,000 law school graduates in 2015 and 43,832 graduates in 2014 (American Bar Association, 2015).

One possible explanation for the slight decline in law school enrollment is the already oversaturated market of licensed attorneys (Dolin, 2007). Despite the decline in law school enrollment and the surplus of lawyers in the job market, tuition continues to rise (Weiss, 2015). Dolin (2007) argues that although “the supply of lawyers long ago outstripped the demand for their services,” law schools continue to remain open and accept students because it is profitable for their universities. A 2015 article in the *Journal of the American Bar Association* reported that the average tuition at ABA-approved law schools in 2014 was over \$35,000 per year (Weiss, 2015). Still, this figure pales in comparison to the average tuition at one of the top ten United States law schools, at over \$55,000 per year (Weiss, 2015).

A *New York Times* article (Scheiber, 2016) titled, “An Expensive Law Degree, and No Place to Use It” perfectly sums up this conflict in the legal field, sharing anecdotes of law graduates struggling to build professional success. A San Diego law student even sued her

school, claiming that although she graduated at the top of her class and amassed over \$150,000 in loans, she was not able to find full-time employment as an attorney (Olson, 2016a). Law firms have started to recognize the financial and emotional impact of staggering debt on incoming attorneys (Olson, 2016b). Many offer programs to help junior attorneys refinance or pay off their loans, which help firms attract the best candidates (Olson, 2016b). Still, the best employment prospects, earning potential, and opportunities to pay off high student loan debt reside in the nation's largest law firms (Ciobanu & Terrell, 2015).

Defining BigLaw. The term *BigLaw* is the legal industry's term used to refer to the largest law firms in the United States (Kane, 2016). BigLaw firms have 100 or more attorneys, several offices, are consistently rated as top-tier firms, boasting of the highest annual profits and salaries (Kane, 2016). Many of the top BigLaw firms now pay first-year, entry-level associates with annual salaries of \$180,000 or more (Achimalbe, 2016). Because of the earning potential, BigLaw is extremely competitive and tends to attract high-achieving lawyers who are graduates of the nation's best law schools (Kane, 2016).

With such high salaries comes the expectation that associates will bill a minimum number of hours in order to be profitable for their firm. An article by Yale Law School (2016) broke down the billable hour requirement, helping students understand how many actual hours they will have to be in the office in order to meet the minimum requirements of their firms. As a result, overtime on weeknights and weekends is not so much an exception as it is the norm, causing attorneys to maintain demanding schedules if they want to succeed in BigLaw (Yale Law School, 2016).

Lawyer satisfaction surveys. A 2006 survey of lawyers by the American Bar Association found that 55% of attorneys reported being content with their vocation (Ward, 2007). When asked if they would recommend a career in the law to another person, only 40% were affirmative (Ward, 2007). Despite these low numbers, 76% reported they planned to still be practicing in five years, 80% reported that they were proud of their profession, and 81% felt

intellectually stimulated by their work (Ward, 2007). The disparity in these two sets of figures highlights an additional issue—the fact that a dichotomy exists in the literature regarding the satisfaction of attorneys (Chambers, 2014; Dinovitzer & Garth, 2007; Levit & Linder, 2010; Monahan & Swanson, 2009). Some researchers argue that attorneys, as a population, are significantly less satisfied than their peers (Rhode, 2000; Schiltz, 1999; Seligman et al., 2005), while others stating that this is not the whole story (Heinz et al., 1999; Hull, 1999; Monahan & Swanson, 2009; Organ, 2011).

For instance, a 20-year longitudinal study (Monahan & Swanson, 2009) of law school graduates at the University of Virginia found significantly high rates of satisfaction. Monahan and Swanson surveyed 260 of the 360 living graduates of the class of 1990. Of the respondents, 81% stated that they were content with their choice to become an attorney, leading the researchers to conclude that the vast majority of lawyers are actually highly satisfied with their careers. However, a closer exploration of the survey methods and results suggest that these findings may not be reflective of and generalizable to the general population of attorneys.

First, Monahan & Swanson (2009) studied the career satisfaction of a cohort of graduates from the University of Virginia School of Law. The graduates of this cohort may not be representative of the average attorney population. Perhaps these individuals from the class of 1990 were an especially satisfied group, or those who attend the University of Virginia are more content than the average person. Second, the researchers noted that they had an abnormally high rate of response as compared to other similar surveys, at just over 72% (Monahan & Swanson, 2009). They concluded that the high response rate should eliminate any issues of bias. However, the unusual response rate may actually suggest a bias, in that those who responded may have had an additional motivation to do so. Further examination of the research methods shows that the researchers mailed the surveys to 100% of the graduates of the class of 1990 (Monahan & Swanson, 2009). Participants had the option to respond via mail, phone, or the web. Although the survey responses were anonymous, the participants' identities

were not; therefore, responses may have skewed positive. It may very well be that the almost 30% who did not respond were the most dissatisfied with their career choice (Chambers, 2014). They may have moved out of law entirely due to their discontent and conceivably did not feel comfortable responding to a survey from their alma mater. Third, 84% of respondents were employed full-time, though not necessarily as lawyers, and 75% were currently practicing law, though not necessarily full-time (Monahan & Swanson, 2009). Lawyers who work long hours are at highest risk of psychological distress and it is unclear how many of the respondents in this survey were both practicing law and doing it full-time. Finally, although the researchers presented this study as a 20-year longitudinal study, the survey was actually conducted in fall 2007 (Monahan & Swanson, 2009). Even though this cohort was previously studied as law students, the measure of job satisfaction was only administered at this single instance, and the responses were not compared or contrasted with prior data (Monahan & Swanson, 2009). Surveys that are administered at one point in time simply measure how the participant felt about that question in that instance (Chambers, 2014). Additionally, these quantitative surveys often require participants to select one number that is expected to denote their level of satisfaction over an extended period of time. This single digit cannot account for the various levels of satisfaction one might experience throughout a two-decade career, nor allow for a nuanced, big-picture understanding of an individual's experience at various instances in their life (Chambers, 2014). Furthermore, other studies have shown that lawyers do become happier with their careers over time (Levit & Linder, 2010). This phenomenon may be due to the possibility that those who choose to remain in the legal profession are more satisfied while those who do not find alternate careers (Organ, 2011; Ward, 2007). This may also be a result of people generally being happier and more secure later in life, or the likelihood that those with a 20-year career feel more stable professionally and more competent as attorneys than incoming junior attorneys who are just entering the field. To summarize, the findings in the Monahan and Swanson study (2009) may be inconclusive.

The question of whether or not lawyers are satisfied with their decision to pursue the legal profession does not have a simple yes or no answer. The research community appears to be divided on this issue (Chambers, 2014; Dinovitzer & Garth, 2007; Levit & Linder, 2010). This discord may be the result of several factors. First, because the experience of satisfaction is subjective and exists on a continuum, some attorneys may be extremely satisfied and others are extremely dissatisfied, while the majority are somewhere in the middle (Levit & Linder, 2010). Second, the question of satisfaction is complex and therefore requires a nuanced response. Various individual and organizational factors can influence a professional's satisfaction with his or her occupation. However, quantitative studies require participants to rate themselves on a numerical scale, often reducing an otherwise multifaceted answer to a single, representative number (Chambers, 2014). Third, although multiple researchers examined satisfaction in attorneys, the way that the question was phrased varied across the studies, making it difficult to have an apples-to-apples comparison of the various studies (Chambers, 2014; Organ, 2011). Fourth, the overall accuracy of subjective rating scales of satisfaction is questionable (Chambers, 2014; Organ, 2011). In a meta-analysis literature review, Organ (2011) noted that attorneys predominantly rated themselves as being above average on measures of satisfaction. This measure is consistent with general findings on job satisfaction surveys, where the vast majority of U.S. professionals, regardless of occupation, state that they are satisfied with their work (Chambers, 2014; Heinz et al., 1999). Finally, the discrepancy in the literature may also be due to lawyers being grouped together under a single category of legal professionals, whereas satisfaction levels actually vary depending on practice area, years of experience, and individual demographics (Levit & Linder, 2010; Organ, 2011).

Despite the inconsistent research findings on job satisfaction surveys, the fact remains that lawyers suffer from higher-than-average rates of depression (Benjamin et al., 1990; Eaton et al., 1990; Krill et al., 2016), substance abuse disorders (Beck et al., 1995; Benjamin et al., 1990; Krill et al., 2016) and suicidal ideation (Benjamin et al., 1990; Ciobanu & Terrell, 2015;

Han et al., 2016; Schiltz, 1999). How job satisfaction can simultaneously coexist with disproportionate rates of psychological and behavioral issues in a single profession is difficult to understand (Organ, 2011). Therefore, whether or not attorneys report themselves as being satisfied, objective data suggested that the legal profession has a negative impact on one's well-being (Beck et al., 1995; Chambers, 2014; Schiltz, 1999). This discontent is further highlighted by attrition rates, with firms losing almost 20% of their attorneys each year (Williams, 2008). These numbers are even more bleak for entry-level attorneys in BigLaw, with more than one-third leaving their firms at the three-year mark (Jones, 2006; Rhode, 2000). In order to better understand attorney discontents, grasping the unique challenges within the legal profession that are contributing to these behavioral and psychological distresses is important.

Close Examination of Lawyers' Unhappiness

The disproportionately high rates of behavioral and psychological issues among practicing attorneys in the United States as compared to other professionals suggests that something inherent within the legal field is contributing to lawyer unhappiness and diminished well-being. An examination of this question has led to the realization that the interactions of various environmental and personal characteristics within the legal profession (Organ, 2011; Rhode, 2000; Seligman et al., 2005) have created a perfect storm in which dysfunction thrives. Seligman et al. (2005) suggested that the unhappiness of lawyers is mostly derived from three causes:

- (1) Lawyers are selected for their pessimism (or "prudence") and this generalizes to the rest of their lives;
- (2) Young associates hold jobs that are characterized by high pressure and low decision latitude, exactly the conditions that promote poor health and poor morale;
- and (3) American law is to some extent a zero-sum game, and negative emotions flow from zero-sum games. (p. 50)

Seligman et al., (2005) recognized that, although these factors are simply the nature of the legal system, the negative impacts can be minimized by an acknowledgment and understanding of how they contribute to unhappiness in lawyers.

Looking at the first cause of unhappiness, the authors cite a number of studies that show that while negative thinking can be maladaptive to most professionals, it is actually beneficial to attorneys (Seligman et al., 2005). A study of the Class of 1987 at the University of Virginia School of Law tested students with the Attributional Style Questionnaire (ASQ), a subjective measure that determines how individuals relate to the cause of external events (Monahan & Swanson, 2009; Seligman et al., 2005). The researchers subsequently compared the performance of those students in law school with their ASQ results (Monahan & Swanson, 2009; Seligman et al., 2005). To their surprise, the researchers found that those students who rated as more cynical actually performed better in school than their optimistic counterparts (Monahan & Swanson, 2009; Seligman et al., 2005). Though the pessimistic students were more successful in law school, lawyers often struggle to compartmentalize that personality trait to just the professional aspect of their lives (Seligman et al., 2005). As a result, this pessimistic tendency spreads into the lawyer's personal life as well and can lead to depression and anxiety (Seligman et al., 2005).

The second cause of unhappiness in lawyers according to Seligman et al. (2005) is that lawyers have low decision latitude. Decision latitude is a measure of control and involves the quantity of real or perceived options an employee has while completing his or her work (Seligman et al., 2005). Lawyering is a deadline-driven profession (Rhode, 2000), with demanding clients (Bourg Carter, 2006; Rhode, 2000) and little autonomy or creative opportunity to complete the work (Seligman et al., 2005), all factors that contribute to a low-control environment. Low decision latitude increases the risk of depression and is especially risky when coupled with high job demands—the norm for lawyers (Rhode, 2000; Seligman et al., 2005). This high-demand and low-control work environment contributes heavily to

depression and serious health problems like coronary disease (Seligman et al., 2005). This conclusion is consistent with the research on low-control environments that significantly increase the risk of burnout (Escriba-Aguir et al., 2006).

The third cause of unhappiness in lawyers identified by Seligman et al. (2005) is that the legal profession is adversarial, where only one side wins, and the other has to lose. A zero-sum game rewards competition (Hoeflich, 2005; Rhode, 2000), aggression (Beck et al., 1995; Bourg Carter, 2006; Hill, 2004) and conflict (Ciobanu & Terrell, 2015), and results in decreased civility among colleagues (Hoeflich, 2005; Rhode, 2000; Seligman et al., 2005). This third cause is especially complicated because the adversity underlies the United States legal system and serves a social purpose, allowing the courts and jury to decide who wins a given case (Seligman et al., 2005). However, the confrontational nature simultaneously causes negative psychological impacts on lawyers and clients and contributes to a damaging public opinion of the profession at-large (Dolan, 1995; Hill, 2004; Seligman et al., 2005).

In recent years, the competitive nature of the legal profession has further been exacerbated due to the changing legal climate. An increase in law school graduates (Dolin, 2007) has resulted in an overly saturated job market (Rhode, 2000). Saturated job markets—where there is more supply than demand—create greater competition for clients (Rhode, 2000). In order to compete for clients, lawyers must reduce fees, take on a greater caseload to make up for lower wages, and be less selective with cases they take on in order to close the gap (Rhode, 2000). As a result, lawyers are working longer hours to meet billability goals (Beck et al., 1995; Bourg Carter, 2006; Dolan, 1995; Hill, 2004; Hoeflich, 2005; Rhode, 2000) and have less time for more rewarding work, such as taking on pro-bono clients (Rhode, 2000; Williams, 2008) and mentoring junior attorneys (Rhode, 2000). Preoccupation with making money, at the expense of doing more meaningful and purposeful work, contributes to the stress experienced by American attorneys (Levit & Linder, 2010; Rhode, 2000; Williams, 2008).

In fact, the dreaded billable hour minimum has often been cited as one of the greatest challenges within the legal profession (Beck et al., 1995; Bourg Carter, 2006; Hill, 2004; Hoeflich, 2005; Rhode, 2000; Yale Law School, 2016). Attorneys are required to bill anywhere from 1,700 to 2,300 hours per year, depending on their firm, with a growing majority billing a minimum of 1,950 annual hours (Rhode, 2000; Yale Law School, 2016). Those who are on the partner trajectory are often required to work more overtime hours, often billing well over a 2,000 annual hour minimum (Yale Law School, 2016). However, as not every hour spent in the office is billable, this often translates into a standard 50–90 hour work week (Bourg Carter, 2006; Hill, 2004; Yale Law School, 2016). To help students solve this billable hour riddle, an article by Yale Law School (2016) broke down the in-office tasks and explained that in order to meet the minimum requirement of most firms, attorneys often have to work evening and weekend hours. Moreover, this minimum requirement does not include other work-related time that is expended, including commuting to and from work, standard socializing with coworkers, or taking time out of the office for family emergencies (Yale Law School, 2016).

Moreover, the saturation has not only increased competition between opposing counsels but also has had a negative impact on attorney relationships within a given firm. Because a smaller percent of lawyers are being promoted to partner, there is increased competition among team members, as a title of *partner* means a higher status and salary (Rhode, 2000; Williams, 2008). Competition further contributes to a negative environment at work and presents additional consequences for attorney well-being. For example, attorneys, by nature, are a very ambitious group and often measure success by winning and losing (Rhode, 2000). Therefore, they often compare their accomplishments with those of their colleagues, including the type of cases they work on, the salaries they make, and even the lifestyles they live (Rhode, 2000). However, attorneys have an otherwise skewed point of reference (Rhode, 2000). Although they are a well-compensated profession, receiving salaries often five times that of the general population, they measure themselves against equally successful colleagues or their high-net-

worth clients (Rhode, 2000). This phenomenon is consistent with the research, which has shown that although attorneys' salaries have increased significantly over the last 50 years, their level of satisfaction has steadily declined (Rhode, 2000).

Coupled with the billable hour minimums, competition creates an adverse effect on professional ethics. Attorneys feel the pressure to win cases and earn money at all costs (Dolan, 1995). Often, this requires attorneys to act in a way that may be incongruent with their values (Bourg Carter, 2006). A study on the ethical conflicts within the legal profession reported that a considerable number of attorneys feel obligated to partake in workplace behaviors that conflict with their personal values and professional ethics (Kammeyer-Mueller et al., 2012). Employees who conduct themselves in a way that is inconsistent with their values experience psychological fatigue and view their work as less gratifying and rewarding (Kammeyer-Mueller et al., 2012).

Close Examination of Burnout in the Legal Profession

Various studies have shown that the unhappiness of lawyers arises from a multitude of individual and professional factors (Bourg Carter, 2006; Dolan, 1995; Organ, 2011; Rhode, 2000; Seligman et al., 2005). Although there is not a general consensus as to a single cause of burnout among legal professionals, categories of factors that contribute to the higher-than-average rates for psychological and behavioral dysfunctions have been identified. Researchers have found that the interaction between and accumulation of all of these various challenges within the legal profession put attorneys at highest risk (Bourg Carter, 2006; Dolan, 1995; Organ, 2011; Rhode, 2000; Seligman et al., 2005).

In her research, psychologist and expert on burnout Dr. Sherrie Bourg Carter (2006) acknowledged that "lawyers are among the occupations at highest risk for burnout and other stress-related problems. As a group, they have high rates of anxiety, depression, substance abuse, divorce, and suicidality" (p. 160). She reported that these problems stem from various internal and external factors that work together to create these negative results, and she

focused her investigation on family lawyers in particular. In her analysis, Bourg Carter (2006) divided the factors that contribute to unhappy lawyers into four different categories: individual variables, occupational variables, societal variables, and technological variables.

Individual variables. Individual variables are those personality characteristics that are unique and inherent to a specific person (Bourg Carter, 2006). These variables include personality traits that lawyers generally tend to have, such as perfectionism and a high need for achievement (Bourg Carter, 2006; Ciobanu & Terrell, 2015; Dolan, 1995). Although perfectionism is not automatically bad as a stand-alone factor, it can be problematic in the context of the legal profession, where lawyers are often required to meet multiple and conflicting deadlines, as well as work with difficult clients (Bourg Carter, 2006; Ciobanu & Terrell, 2015; Rhode, 2000; Williams, 2015). As a result, lawyers may struggle with setting appropriate and healthy boundaries with their clients, colleagues, and bosses, further exacerbating the stress (Bourg Carter, 2006).

Another individual variable that Bourg Carter considered is that although lawyers are undoubtedly great communicators, they are not necessarily well-versed in communicating their own emotional experiences, needs, or desires (Bourg Carter, 2006; Ciobanu & Terrell, 2015). Many learn to detach from their emotions (Ciobanu & Terrell, 2015) and develop an impenetrable exterior (Hill, 2004). If issues do arise, many attorneys prefer to handle it on their own (Ciobanu & Terrell, 2015). However, this coping pattern only further exacerbates the problem, as social support and relationships have been proven to counteract the negative effects of workplace stress and burnout (Bourg Carter, 2006; Halbesleben & Buckley, 2004; Hill, 2004; Sand & Miyazaki, 2000; Schaufeli & Buunk, 2003).

Occupational variables. In her analysis of occupational variables, Bourg Carter (2006) focused particularly on the unique stressors that exist for lawyers who practice in family law, notoriously one of the most difficult specialties in the profession. She explained that the issues that are unique to family law, such as divorces, child custody battles, division of finances,

among others, tend to be more emotional and personal than those that a lawyer who is practicing in the corporate sphere may encounter (Bourg Carter, 2006; Rhode, 2000). Other studies have confirmed that when attorneys or their administrative staff are exposed to more severe or traumatic cases of their clients, they are more likely to develop psychological symptoms including posttraumatic stress disorder, depression, secondary traumatic stress, and burnout (Levin et al., 2011).

In addition, Bourg Carter (2006) discussed broad occupational variables that are true for lawyers across different practice areas. Perhaps most important is the common knowledge that lawyers often have to practice within an adversarial context, which leads to additional aggression and stress (Bourg Carter, 2006; Hill, 2004; Seligman et al., 2005). This context, coupled with the additional occupational variable of the common expectation that lawyers should work long hours and the individual personality variable of perfectionism, can exacerbate the chronic stress that a lawyer is already experiencing (Beck et al., 1995; Bourg Carter, 2006; Hill, 2004; Hoeflich, 2005; Rhode, 2000; Williams, 2008). This type of high-demand and low-control work environment is one that significantly increases the chances of burnout among employees (Demerouti et al., 2001; Escriba-Aguir et al., 2006; Maslach et al., 2001).

Another occupational variable that Bourg Carter (2006) addressed, which is prevalent in all legal practice areas, is a situation in which the lawyer must put his or her values aside to represent a client of whom he or she would otherwise disapprove. This is especially challenging because the lawyer has a professional obligation to represent the client, regardless of personal beliefs, values, or ethics (Bourg Carter, 2006; Rhode, 2000). This issue is especially exacerbated in the family law context, where a lawyer may be obligated to advocate for the client to receive the custody of a child even if the lawyer may not personally believe that their client is the best parent to care for the child. This can be a cause of significant distress for the lawyer who must do what is best for the client at his or her own psychological expense (Bourg Carter, 2006).

Societal variables. Societal variables are those variables that stem from people outside of the legal profession. Bourq Carter (2006) focused especially on the low public opinion of attorneys, an issue that others have also highlighted (Dolan, 1995; Hill, 2004; Schiltz, 1999). The low public opinion includes many negative jokes about lawyers and a common view that lawyers cause problems rather than fix them (Bourg Carter, 2006; Schiltz, 1999). A common misperception also exists that lawyers are liars or are unethical in some way, always looking out for their own self-interest (Schiltz, 1999). This misperception, when coupled with the other variables, contributes to the lawyer's lack of job satisfaction, continued stress, and unhappiness, further pushing them into burnout.

Technological variables. Technological variables are those issues that stem from the prevalence of technology in our society (Bourg Carter, 2006). Lawyers who already have a difficult time with setting appropriate boundaries or turning down work are constantly bombarded with requests from clients and partners outside of working hours, through e-mail, text messages, and calls to personal cell phones (Bourg Carter, 2006; Rhode, 2000). Technological challenges are further exacerbated by the fact that, with the ever-growing information available online, attorneys struggle to be up-to-date with a relevant body of data (Rhode, 2000). The blurring of the boundaries between home and work, as well as the constant pressure to be on-call and available, has contributed to the burnout and stress of attorneys (Bourg Carter, 2006).

Summary of the Profile of High-Risk Attorneys

Researchers have identified the following conditions that impact an attorney's behavioral and psychological well-being:

- Years in the profession: Junior associates typically fare worse than their more senior counterparts (Heinz et al., 1999; Organ, 2011; Seligman et al., 2005). Years in practice are typically correlated to one's decision latitude (Seligman et al., 2005) and income (Heinz et al., 1999).

- **Income:** Attorneys who are the highest earners typically report being more satisfied with their career (Heinz et al., 1999). Income is directly correlated to the number of years one has practiced as an attorney, as partners and senior lawyers typically earn larger salaries.
- **Professional context:** BigLaw firms put attorneys at highest risk of psychological and behavioral stress (Dinovitzer & Garth, 2007; Heinz et al., 1999; Levit & Linder, 2010; Organ, 2011; Ward, 2007). Attorneys who work in the public sector often report greater satisfaction with their work (Levit & Linder, 2010; Organ, 2011; Ward, 2007).
- **Area of practice:** Litigation attorneys are those at highest risk of psychological distress, as they work in an environment that is especially adversarial and competitive (Beck et al., 1995; Seligman et al., 2005).

An attorney who meets all of these criteria is at a significantly higher risk of developing depression, substance abuse, and suicidal ideation.

Lawyer Well-Being

Depression. A landmark study (Eaton et al., 1990) on the pervasiveness of major depressive disorder across 104 occupations found that lawyers were 3.6 times more likely to be depressed than other professionals. Since then, several other studies have confirmed that attorneys suffer from higher depression rates than the average individual in the general population (Benjamin et al., 1990; Rothstein, 2008; Krill et al., 2016; Leignel et al., 2014).

Although the practice of law has undoubtedly changed with the advancements in technology, the depression rates continue to remain steady. Researchers have not yet identified the cause of these alarming incidences of depression, but many posit that the cause is due to the unique challenges of the profession, including the highly demanding work environment, long hours, adversity with colleagues, and the overall lack of work-life balance (Hagan & Kay, 2007; Monahan & Swanson, 2009; Organ, 2011; Stake et al., 2007).

Substance abuse. Attorneys suffer from alarmingly high rates of substance abuse, significantly higher than the general population (Beck et al., 1995; Benjamin et al., 1990; Hazelden Betty Ford Foundation, 2016; Krill et al., 2016; Leignel et al., 2014; Rothstein, 2008). Along with doctors, lawyers have some of the highest rates of alcohol-related deaths (Brooke, 1997). Substance abuse is such a problem in the legal profession that the State Bar of California requires attorneys to complete minimum continued legal education (MCLE) requirements every three years to renew their license (State Bar of California, 2016a). Moreover, the Hazelden Betty Ford Foundation—the largest nonprofit treatment addiction center in the United States—has recognized the dire need for lawyer-specific services. The foundation provides a legal professionals program, stating that “for lawyers, alcoholism, drug addiction, and co-occurring mental health issues are practically an occupational hazard” (Hazelden Betty Ford Foundation, 2014, para. 1).

Researchers have confirmed that the rates of substance abuse in the legal profession are shockingly high—more than twice the rate of alcohol abuse as compared to the general American population (Krill et al., 2016). In an examination of the problems of alcoholism and drug abuse in the legal profession, Allan (1998) speculated as to why substance abuse continues to be such an issue for attorneys:

One of the baffling characteristics of alcoholism is that alcoholics have a full knowledge of [the negative effects of alcohol], with life problems escalating, will deny the relationship between alcohol and their problems. As a result of their education, intellect and ability to rationalize, lawyers seem to have greater difficulty accepting and admitting that they have a problem with alcohol than the general population. Paradoxically, society’s encouragement, and in some instances, demand for professional achievement and success are strong contributing factors entrenching denial in alcoholics which may lead to burn-out and depression. (p. 268)

Substance abuse and dependency gravely impair legal professionals, many of whom continue to practice and service clients even in the throes of their addiction (Brooke, 1997).

Unquestionably, their addiction prevents them from being able to meet the standard quality of care at work as required by their overseeing bar association, often causing harm to their clients (Allan, 1998; Brooke, 1997; Krill et al., 2016; Rothstein, 2008). Several studies have confirmed that the majority of all client complaints, disciplinary cases by the board, and malpractice suits are due to lawyer substance abuse (Allan, 1998; Benjamin et al., 1990).

Suicidal ideation, suicide attempts, and death. The Centers for Disease Control and Prevention (2015) reported that suicide is the tenth leading cause of death in the United States. Although it is difficult to obtain accurate statistics on suicide deaths by attorneys, researchers have studied how the legal professionals compare with the general population in suicidal ideation (Han et al., 2016). Given the high incidence rates of depression and substance abuse, attorneys also have a higher-than-average rate of suicidal ideation (Han et al., 2016; Schiltz, 1999). A 2016 study (Han et al.) looked at the data of a 2008–13 survey of over 184,000 employed U.S. adults. The researchers examined the rates of suicidal ideation and suicide attempts across various occupations and found that when compared to those adults who worked in farming, fishing, and forestry professions, adults in the legal profession (including lawyers, judges, and their administrative support staff or assistants) were almost three to four times more likely to report thinking about suicide (Han et al., 2016). Some data have suggested that male attorneys are twice as likely to commit suicide as males in other occupations (Ciobanu & Terrell, 2015; Schiltz, 1999).

Suicidal ideation and suicide attempts are also closely linked to depression and substance abuse (Benjamin et al., 1990; World Health Organization, 2014). The American Psychiatric Association (2013) listed suicidal ideation as one of the many symptoms of the major depressive disorder. In their 2014 publication, the World Health Organization (WHO) reported that the vast majority of people who died by suicide around the world had a mental

health disorder. Moreover, the WHO report cited a history of substance abuse as one of the factors that significantly increases suicide risk (World Health Organization, 2014). This comorbidity and interaction between depression and substance abuse put attorneys at especially high risk of suicide.

Law Schools

Undoubtedly, the vast amount of individual and environmental challenges attorneys experience in the legal field are alarming. However, the high incidence rates of depression, substance abuse, and suicidality cannot simply be attributed to the professional context. Although legal work is stressful, the process of first becoming a licensed attorney is also no easy feat. Graduate education is demanding and can often result in psychological distress among the students (Dammeyer & Nunez, 1999; Garcia-Williams, Moffitt, & Kaslow, 2014; Helmers, Danoff, Steinert, Leyton, & Young, 1997; Hyun, Quinn, Madon, & Lustig, 2006; Hyun, Quinn, Madon, & Lustig, 2007). Several studies have confirmed that this is especially true for law students, demonstrating that many of the psychological and behavioral symptoms experienced by attorneys initially present in the first year of law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). Even when compared to medical students who also experience a grueling curriculum, law students fared significantly worse on measures of anxiety, depression, and overall experience of stress (Dammeyer & Nunez, 1999; Helmers et al., 1997; Shanfield & Benjamin, 1985).

Similar to the population of licensed attorneys, law students present with significantly higher-than-average rates of depressive symptoms, substance abuse, and suicidal ideation (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). One study (Benjamin et al., 1986) estimated that approximately 20 to 40% of law students experience some sort of psychological and behavioral dysfunction, which is significantly higher than the general population. Prior to attending law

school, law students did not differ psychologically or behaviorally from the general population (Benjamin et al., 1986).

Some researchers have suggested that these high incidence rates are perhaps due to the possibility that a certain category of individuals is drawn to the legal profession—and therefore, that this type of personality is more susceptible to psychological distress and behavioral issues (Bourg Carter, 2006; Shanfield & Benjamin, 1985). However, studies in 2004 and 2007 (Sheldon & Krieger) of law students disproved this assumption. Sheldon and Krieger examined the subjective well-being (SWB), motivation, and values of first-year law students. They found a huge drop in law students' SWB after the first year of law school and the rates continued to drop in the second and third year (Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). Other studies have confirmed these findings, showing that depression among law students worsens over the course of their law school career (Benjamin et al., 1986; Benjamin et al., 1990; Dammeyer & Nunez, 1999; Sheldon & Krieger, 2007).

Perhaps more importantly, these studies also demonstrated that before law school, these cohorts of students were neither significantly different nor experienced higher levels of distress than the general population (Benjamin et al., 1986; Sheldon & Krieger, 2007). One study (Sheldon & Krieger, 2004) even found that although law students began law school with higher levels of subjective well-being (SWB) than a similar sample of undergraduate college students, their SWB significantly dropped after the first year, well below the levels of the general population. These studies suggest something inherent in the law school experience or the graduate-level curriculum is causing an increase in psychological and behavioral problems among law students. Several researchers have attributed these problems to law school culture, andragogy, and the focus on analytical thinking skills at the expense of social or interpersonal skill development (Benjamin et al., 1986; Halpern, 1982; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007).

Law school culture. Several anecdotal and empirical studies have concluded that the culture of the law school environment is one of the main contributors to psychological and behavioral distress among law students (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Halpern, 1982; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). Commonly cited sources of the especially challenging culture are the competition among students (Dammeyer & Nunez, 1999; Seligman et al., 2005; Shanfield & Benjamin, 1985), academic ranking system (Shanfield & Benjamin, 1985), the pressure to obtain a prestigious and lucrative career (Halpern, 1982), and the overall lack of support from faculty (Shanfield & Benjamin, 1985; Sheldon & Krieger, 2007).

A longitudinal study of law student well-being demonstrated the importance of having a supportive faculty (Sheldon & Krieger, 2007). Sheldon & Krieger examined student well-being in two law schools over the course of three years. They found that although law students' well-being declined at both schools, those students at the law school where the faculty was identified as being more supportive fared better than their counterparts at the alternate law school where faculty was perceived as "more controlling and insensitive" (p. 893).

Law school andragogy. Several researchers have cited the outdated law school andragogy as one of the factors causing a considerable amount of stress to students and thereby contributing to their psychological and behavioral issues (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Halpern, 1982; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). The dominant teaching method used in the majority of law schools today is dated back to the nineteenth century practice of law, modeled after Langdell's method and the Socratic Method (Dammeyer & Nunez, 1999; Dolin, 2007; Rapoport, 2002; Schwartz, 2001; Seligman et al., 2005; Shanfield & Benjamin, 1985). Many believe that this andragogy is ineffective and has no place in present-day law schools because the practice of law has changed significantly (Dammeyer & Nunez, 1999; Dolin, 2007; Rapoport, 2002;

Shanfield & Benjamin, 1985). Instead, law schools should update their curricula and incorporate new research in education and neuroscience about adult learning (Dolin, 2007).

One shortcoming of this teaching style is that it focuses on abstract concepts or rationalization skills, rather than any practical or applicable skills in the legal profession (Rapoport, 2002; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2007). This creates additional stress for graduating law students, who feel grossly unprepared for the practice of law in the professional arena (Dolin, 2007; Rapoport, 2002; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2007). Researchers have recommended that the law school curricula should have more relevance to the real-world practice of law (Seligman et al., 2005).

An additional challenge of the law school teaching style is that many instructors are controlling (Halpern, 1982) and inexperienced in the actual practice of law (Dolin, 2007; Rapoport, 2002). This scenario creates a less-than-supportive learning environment in law schools (Dolin, 2007; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2007). Law professors who have insufficient experience in the actual practice of law cannot possibly prepare their students for their future careers (Dolin, 2007; Schiltz, 1999). Further contributing to the instructional inefficacy is the bleak teacher-to-student ratio. The large class sizes in law schools, even when compared to other graduate programs such as medical schools, mean that students receive less individual attention from their instructors (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985). Undoubtedly, challenging coursework in the law school curricula and lack of instructor support and availability contribute additional stressors to law students.

Some researchers also argue that the overall teaching and testing techniques used in law schools are inherently flawed (Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). As compared to medical schools, which have mostly eliminated the letter-grade system of evaluating students, law schools focus heavily on testing and grading (Dammeyer & Nunez,

1999; Seligman et al., 2005; Shanfield & Benjamin, 1985). Moreover, law students experience intense pressure to get good grades and to rank at the top of their class, as this distinction is directly related to future opportunities and career success (Halpern, 1982; Sheldon & Krieger, 2004).

Though students feel the constant burden of achieving a high grade-point average (GPA), many students struggle to meet their goals due to the excessive workload (Benjamin et al., 1986; Halpern, 1982). When students experience the pressure to produce at this level, this often negatively impacts the amount of time spent in social interactions with friends and family or participating in enjoyable activities such as hobbies (Achor, 2010; Benjamin et al., 1986). However, when students isolate themselves and neglect these self-care practices, their chances of developing psychological symptoms or depression are significantly increased (Achor, 2010).

Focus on analytical thinking. Another common criticism of law schools is their bias toward utilizing the Socratic and case method teaching styles to instill analytical thinking skills to the detriment of other important skills, such as social, emotional, or practical skills (Benjamin et al., 1986; Ciobanu & Terrell, 2015; Halpern, 1982; Rapoport, 2002; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). Coupled with the competition among law students and the overall adversarial nature of the profession, the focus on the methodical, systematic, and conflict-focused thinking may negatively impact the psychological well-being of budding attorneys and their ability to build significant social connections (Benjamin et al., 1986). As healthy relationships and an encouraging support network are an important component for well-being (Achor, 2010), underdeveloped social skills “may increase distress levels and prevent the alleviation of symptoms” (Benjamin et al., 1986, p. 250).

Recent studies in the field of neuroscience confirm this suspicion. Neuroscientists have identified an inverse relationship between analytical brain functions and social brain functions (Friedman et al., 2015). Specifically, they have demonstrated that the analytical and emotional

areas of the brain oppose one another; therefore, the unbalanced development of one network of the brain directly adversely impacts the neglected network (Jack et al., 2013).

Neuroscientists have identified these two neural networks as the task-positive network (TPN) and the default mode network (DMN). While the TPN is focused more on the analytical and problem-solving skills emphasized in law schools and the legal profession at-large, the DMN affects social and emotional functioning, including self-awareness, morality, and empathy (Friedman et al., 2015). Brain imaging scans have further demonstrated that these two neural networks function antagonistically, in that when one network is stimulated, it actively suppresses the opposing network (Boyatzis et al., 2014). Therefore, a law school curriculum that strongly focuses on analytical thinking stunts the law student's ability to develop his or her interpersonal and emotional skills. Inevitably, decreased social and emotional functioning may not only negatively impact the student's ability to create meaningful and supportive interpersonal relationships, it may also affect the student's capability to be introspective and work through emotions in a productive and healthy way.

Perhaps another adverse effect of this bias toward the case method and analytical thinking is that it requires students to withdraw their personal opinions and morals from the legal process (Sheldon & Krieger, 2007). The case method discourages philosophical exploration or an examination of justice and simply requires the student to objectively explore how various laws pertain to the issue at hand (Halpern, 1982). To be successful in this intellectual endeavor, the student must learn to remove his or her values from the law, resulting in emotional detachment (Ciobanu & Terrell, 2015). Studies have shown that this transfer of values occurs throughout the course of law school (Halpern, 1982; Sheldon & Krieger, 2004). A 2004 study (Sheldon & Krieger) found that although students started law school with strong intrinsic values, including personal interest and community service, these values declined over the course of the first year, and were replaced by extrinsic values, including social acceptance and financial gain.

They cited this change from intrinsic to extrinsic values as one of the reasons for the decline of law students' subjective well-being (Sheldon & Krieger, 2004).

Implications of law school experience. Unfortunately, the negative psychological effects of law school impact students even after graduation (Beck et al., 1995; Benjamin et al., 1986). Using four self-report measures, one study (Benjamin et al., 1986) examined the psychological distress among law students before law school, during law school, and after graduation. The researchers found that law students did not differ from the general population before attending law school, but developed significant symptoms of psychological distress over the course of their graduate careers (Benjamin et al., 1986). Moreover, the students' level of distress did not return to their pre-law-school normal levels even after graduation (Benjamin et al., 1986). One can draw two conclusions from these findings: (a) the psychological distress law students experience is not simply due to the stress of being in graduate school, and (b) many incoming attorneys enter the profession already exhibiting psychological and behavioral problems, which are further exacerbated by compounding stressors in the professional world. As one study (Sheldon & Krieger, 2004) concluded, "Various problems reported in the legal profession . . . may have significant roots in the law-school experience" (p. 283). The link between the graduate and professional experience is undeniable. Therefore, something inherent within the practice of law or the experience of being and thinking like a lawyer may negatively impact individual well-being in the long term.

Becoming a California Lawyer

The laborious requirements for becoming a California lawyer start long before sitting down for the rigorous three-day bar exam. The first significant step is preparation for the Law School Admission Test (LSAT), a national law school entrance exam (State Bar of California, 2016d). This standardized test is one of the most important parts of the law school admission process (State Bar of California, 2016d). As a result of the importance of this exam, many students take long and expensive preparation courses in order to help ensure that they achieve

the highest possible LSAT and increase their likelihood of being admitted to the nation's top law schools.

The first year of law school is incredibly demanding, while law students try to acclimate to the competitive and demanding graduate school environment. Surveys estimate that the national average dropout rate for first-year law students is between 20 to 40% (Law Info, n.d.). In the second or third year of law school, in addition to the rigors of a full law school curriculum and extracurricular activities, students have to prepare for the Multistate Professional Responsibility Examination (State Bar of California, 2016d). This exam tests the ethical rules by which practicing lawyers must abide. The law student must obtain a passing score on the MPRE before being allowed to sit for the bar exam (State Bar of California, 2016d).

After graduating from law school, the lawyer-hopeful must prepare for the three-day California bar exam. The California bar exam is administered twice per year in February and July (State Bar of California, 2016d) and is arguably one of the hardest bar exams in the entire country, with less than a 50% pass rate. The State Bar of California reported that the February 2016 exam had a bleak pass rate of 35.7% (State Bar of California, 2016e), which represented almost an 11% drop from the November 2015 exam (State Bar of California, 2015). However, all law school graduates must pass this exam before being allowed to practice law in the State of California (State Bar of California, 2016d), though statistics show that the chances of passing the exam decrease for test re-takers (State Bar of California, 2015; State Bar of California, 2016e).

Those who pass the California bar exam and become licensed attorneys have to fulfill the minimum continued legal education (MCLE) requirements for the remainder of their practicing careers (State Bar of California, 2016a). Undoubtedly, requiring lawyers to continue to take various courses and attend seminars to stay up-to-date on the trends in the law, ethics, and legal bias has professional and societal benefits but these requirements may be yet another factor that contributes to the already overburdened schedules of lawyers. Currently, one of the

requirements for MCLE is to complete a class about the prevention, detection, and treatment of substance abuse or mental illness (State Bar of California, 2016a). This requirement for all California attorneys demonstrates that the Bar Association is aware of the high-risk factors for psychological and behavioral distress associated with being an attorney. However, the minimum requirement of one hour in a three-year period (State Bar of California, 2016a) is hardly sufficient to keep attorneys informed and protected against the significantly higher risks. The challenge remains to provide attorneys with relevant and timely information, while simultaneously not adding additional burdens to their demanding schedules.

Impact of Lawyer Well-Being on Career

When a lawyer is experiencing one or all of the symptoms discussed above, his or her psychological and behavioral distress will undoubtedly impact the ability to do his or her job, as expected to meet the standard of care by the overseeing Bar Association. The Texas Bar Association reports that “neglect is the number one complaint filed against attorneys and the number one reason attorneys are sanctioned by the State bar” (Blackwell, 2009, p. 1). The New York City Bar Association (2015) reports a similar trend; most of the common complaints about professional misconduct are attorney neglect or delay in completing the work. Attorneys who are struggling with depression, substance abuse, and suicidal ideation and who are not getting the support they need are highly likely to not be able to manage their workload (Hoeflich, 2005).

Conclusion

The legal profession is one of the most demanding and intellectually challenging professions. Lawyers are required to work long hours, meet conflicting deadlines, and put their clients first, before all else (Bourg Carter, 2006; Levin et al., 2011). Although lawyers consistently rate themselves as being above average on measures of job satisfaction (Monahan & Swanson, 2009; Organ, 2011), objective statistics of attorney well-being paint a different picture. Empirical studies have shown that lawyers in the United States suffer from significantly higher rates of substance abuse (Beck et al., 1995; Benjamin et al., 1990; Krill et al., 2016),

depression (Benjamin et al., 1990; Eaton et al., 1990; Krill et al., 2016), and suicidal ideation (Benjamin et al., 1990; Han et al., 2016), as compared to the general population of employed, adult professionals.

Although the higher-than-average rates of substance abuse, depression, and suicidal ideation are undoubtedly a cause for concern, the legal profession has not received the proper care and attention from the medical and research communities that it deserves to resolve these issues. Two studies (Eaton et al., 1990; Krill et al., 2016) more than a quarter century apart show the same high incidence rates of psychological and behavioral issues within the legal profession. The lack of improvement in attorney well-being suggests that researchers, medical doctors, mental health professionals, and legal organizations themselves have failed to intervene.

One potential explanation for lawyer distress is burnout syndrome. Burnout is characterized by a lack of achievement of work, cynicism, and emotional exhaustion (Maslach et al., 2001) and is the result of chronic workplace stress (Leignel et al., 2014). Burnout symptoms arise due to an interaction between environmental and individual factors. Workplace characteristics that increase the likelihood of developing burnout include environments that are highly-demanding (Demerouti et al., 2001; Leignel et al., 2014; Maslach et al., 2001; Schaufeli & Buunk, 2003) and lack sufficient resources (Leignel et al., 2014; Schaufeli & Bakker, 2004; Schaufeli et al., 2009a). Moreover, employees do not feel a strong sense of community (DeFreese & Smith, 2013; Demerouti et al., 2001; Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003) and have mismatched values with their organizations (Halbesleben & Buckley, 2004; Kammeyer-Mueller, Simon & Rich, 2012), which further increase the chances of burnout.

Although environmental factors are the greatest contributors to burnout (Halbesleben & Buckley, 2004; Maslach et al., 2001), researchers have demonstrated that individual characteristics also play a significant role (Halbesleben & Buckley, 2004; Langelan et al., 2006; Schaufeli & Buunk, 2003). Individuals who rate high on the personality trait of neuroticism are

more likely to experience burnout (Halbesleben & Buckley, 2004; Hurt et al., 2013; Kim et al., 2009). Additionally, researchers have found that burnout is negatively correlated with emotional intelligence (Durán et al., 2004; Gutierrez & Mullen, 2016; Vinje & Mittelmark, 2007; Weng et al., 2011). Individuals who rate higher on measures of emotional intelligence are less likely to be impacted by burnout (Durán et al., 2004; Gutierrez & Mullen, 2016).

Researchers and legal professionals have examined the characteristics of the legal profession that are contributing to lawyer distress. The environmental and individual stressors that were identified as the leading causes of behavioral and psychological issues in lawyers (Bourg Carter, 2006; Rhode, 2000; Seligman et al., 2005) closely mirror those that result in burnout. For instance, the legal field is notoriously high-demanding (Bourg Carter, 2006; Rhode, 2000; Seligman et al., 2005), increasingly adversarial (Ciobanu & Terrell, 2015; Hoeflich, 2005; Rhode, 2000; Seligman et al., 2005) and employees have low decision latitude (Rhode, 2000; Seligman et al., 2005). Ethically, lawyers are required to put the needs of their clients above all else, which can result in emotional turmoil when that which is in the client's best interest is misaligned with the lawyer's personal values (Bourg Carter, 2006).

However, it is not merely occupational stress that is causing distress among attorneys. Several studies have demonstrated that emotional and behavioral issues among legal professionals actually arise in law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). These findings suggest something inherent about the practice of law and the legal field in the United States is contributing to the psychological and behavioral distress of United States attorneys.

Although researchers and legal professionals have examined the causes of attorney burnout (Bourg Carter, 2006; Seligman et al., 2005), to date, no study exists that has examined the best practices for navigating the challenges within the legal field. By understanding how legal professionals can mitigate burnout, the incidence rates of attorney suffering can be

reduced. As attorneys play a significant role in the social and political arena, attorney well-being should be a priority as it impacts not just the legal professionals, but all Americans.

Chapter 3: Research Design and Methodology

Introduction

The purpose of this study was to identify and understand the best practices employed by attorneys who successfully manage burnout in the workplace. Chapter 3 focuses on the research design and methodology of this study. First, the phenomenological approach is examined, including the process of phenomenological qualitative research and the appropriateness of this methodology for the particular research questions identified in the study. Second, the specifics of the research design are discussed, highlighting how participants were selected for the study. Human subject considerations are addressed, as well as the data collection procedures. Next, the interview protocols are detailed, including the specific interview questions that were asked of all participants. The process of how interview questions were selected and validated is outlined, including a discussion of prima facie, peer review, and expert review validity. The personal biases of this study are addressed, as well as how they were remedied through epoche. This chapter concludes with a discussion of the data analysis procedures, including how the data was recorded, transcribed, described, classified, and coded, and a discussion of interrater reliability and validity.

Re-Statement of Research Questions

The study addressed the following research questions:

- *RQ 1:* What strategies and best practices do attorneys deploy to mitigate professional burnout?
- *RQ 2:* What challenges do attorneys face most often in deploying measures to mitigate professional burnout?
- *RQ 3:* How do attorneys assess success measures for mitigating professional burnout?
- *RQ 4:* What recommendations would attorneys give to other law practitioners for mitigating professional burnout?

Nature of the Study

This study was qualitative in nature. Its focus was to explore, describe, and understand the meaning that people have attributed to a particular human experience (Creswell, 2014). Researchers often select a qualitative approach when no current or predominant theory exists to explain a specific phenomenon (Merriam, 2009). Therefore, researchers can utilize this inductive process to identify a phenomenon, gather information through inquiry, synthesize the collected data, and create a hypothesis or theory in order to better understand and explain the examined subject area (Creswell, 2013; Creswell, 2014; Merriam, 2009).

Qualitative research studies operate under a few key assumptions. Creswell (2013) identifies the nature of these assumptions as ontological, epistemological, axiological, and methodological:

- Ontological assumptions encompass the understanding of reality. Qualitative researchers acknowledge and accept the existence of numerous realities, and understand that each researcher, participant, or consumer of the study has a unique experience of reality.
- Epistemological assumptions dictate that knowledge exists in the lived experiences of participants and the subsequent meanings they attribute to each experience. Therefore, in order to obtain knowledge from participants, a researcher must study the participant in his or her natural setting. In qualitative studies, the transfer of information typically occurs through observation and conversation.
- Axiological assumptions involve personal values and biases. A qualitative researcher embraces and reports individual values and biases—including those of the researcher and the participants—and understands the significant role biases play in the research study.
- Methodological assumptions dictate the use of inductive reasoning to inform the procedures of gathering and interpreting the data. Through the use of inductive logic,

the researcher analyzes research data and subsequently draws a conclusion about the research topic.

Numerous factors are consistent across qualitative studies and form the basis of a study's design. First, qualitative researchers gather data in a real-world setting (Creswell, 2013). Unlike other methodologies that might use a lab setting or a survey sent by mail, a qualitative design requires that the researcher is present in the participant's "natural setting" (Creswell, 2013, p. 45). This means that the researcher might interview an individual who has lived a certain experience or simply observe the person in his or her natural habitat. In either case, the researcher does not create controlled conditions, as one might experience in a lab setting, and therefore minimizes the disruption of how things may naturally occur.

The second characteristic of qualitative design is that "the researcher is the primary instrument for data collection and analysis" (Merriam, 2009, p. 15). The researcher administers the data collection procedure and simultaneously gathers the data "through examining documents, observing behavior, and interviewing participants" (Creswell, 2013, p. 45). The researcher's involvement in all steps of the study presents both benefits and challenges. One strength in utilizing a qualitative approach is that information can be gathered through verbal and nonverbal avenues. Whereas a written questionnaire cannot possibly identify the subtleties of human communication—such as intonation, inflection, body language, or other nonverbal cues—a researcher can easily make those distinctions (Butin, 2010). Moreover, a researcher can be flexible and adaptable throughout the data gathering procedure because he or she can follow-up with the participant, ask for clarification of the participant's statement, or even confirm that the participant's intended answer has been accurately understood (Merriam, 2009).

On the other hand, the researcher's presence in the study may potentially influence the data collection. One weakness of qualitative design studies is that all researchers have biases, and their biases may impact the results of the study or how the data is interpreted (Merriam, 2009). However, these biases do not necessarily need to be viewed from a negative

perspective. The researcher's background, personal life experiences, and motivation for examining the phenomena can contribute an additional dimension to the research data by helping the audience see the results from the researcher's lens (Creswell, 2013; Merriam, 2009).

Finally, qualitative studies are used "to empower individuals to share their stories, hear their voices, and minimize the power relationship that often exists between a researcher and the participant in a study" (Creswell, 2013, p. 48). The qualitative design lessens the impact of the researcher-participant hierarchy by utilizing an open-ended approach. Whereas a survey might ask participants to pick from a series of pre-selected, multiple-choice options or rate their experiences on a numerical scale such as a Likert scale, open-ended questions leave room for the participants to answer the questions as they see fit (Yilmaz, 2013). This minimizes the researcher's ability to steer the participants to answer in any one direction. As Yilmaz (2013) explained, "Open-ended responses let the researcher understand and present the world as it is seen and experienced by the participants without predetermining those standpoints" (p. 313). Therefore, the participant is able to thoroughly recount his or her experience of the phenomenon. As a result, "the product of a qualitative inquiry is richly descriptive" (Merriam, 2009, p. 16), a benefit not afforded by other research designs.

Methodology

This study utilized a phenomenological research approach. A phenomenological study explores and describes a commonly-shared phenomenon as experienced by various people (Creswell, 2013; Creswell, 2014; Merriam, 2009; Saldaña, 2011). The purpose of a phenomenological research study "is to come to an intimate awareness and deep understanding of how humans experience something" (Saldaña, 2011, p. 8). Data is gathered and synthesized in order to extract and explain the essence of the collective human experience (Creswell, 2013; Creswell, 2014; Merriam, 2009; Saldaña, 2011). Ultimately, the goal is to take

an individual's subjective experience, find the common ground among multiple participants, and identify the core principles (Creswell, 2013).

Creswell (2013) identified the following characteristics that are common across phenomenological research studies:

- Phenomenological studies focus on a specific human phenomenon.
- Whereas a case study might focus on the experience of a single individual, a phenomenological study looks at a specific phenomenon as experienced by a group of people.
- A phenomenological researcher explores and identifies his or her personal experiences with the phenomenon, as well as any potential biases.
- A phenomenological researcher collects data by conducting interviews with participants. These interviews help the researcher to understand the individual experiences of the identified phenomenon.
- A phenomenological researcher creates specific criteria for analyzing the data and identifies procedures for coding this data.
- A phenomenological researcher synthesizes all of the coded data and presents an umbrella description of the phenomenon, so readers can get a sense of the nature of that particular human experience.

Strengths and weaknesses. Because the phenomenological method falls under the umbrella of qualitative research, its strengths and weaknesses mirror those of qualitative research. One such benefit of phenomenological research is that the open-ended interview procedures allow for the gathering of rich, specific data (Creswell, 2013; Willig, 2007). This technique allows the researcher to obtain a profound understanding of the human phenomenon central to the study. Unlike the narrative approach, which typically focuses on the experience of a single participant (Creswell, 2013), the phenomenological method emphasizes the collective experience of a group of individuals (Willig, 2007). Through this approach, commonalities in the

unique, individual accounts are identified, thereby extracting the essence of the phenomenon (Creswell, 2013; Willig, 2007).

An additional strength of the phenomenological approach is that the researcher plays an important role in the gathering, sorting, and interpretation of data (Creswell, 2013; Merriam, 2009). In the data collection phase, participants are typically interviewed using a semi-structured interview and have the opportunity to answer clarifying follow-up questions to ensure that intended answers shine through (Merriam, 2009). Additional non verbal data, such as body language, voice intonation, or other sensory information, provides a nuanced understanding of each individual's experience.

The phenomenological approach also presents some potential challenges. First, because phenomenology explores a subjective lived human experience, a group of people who have lived this common experience must be identified (Creswell, 2013). The selected participants must have the first-hand experience of the identified phenomenon (Creswell, 2013). Simultaneously, the participants must be distinct enough from one another so as to provide a broad understanding of the phenomenon. Second, phenomenology recognizes the existence of human consciousness and its influence on lived experience (Creswell, 2013; Giorgi, 1997). Participants are entangled in the phenomenon, thereby affecting their experiences of the phenomenon and their subsequent ability to recount their experiences (Creswell, 2013; Giorgi, 1997). Third, the researcher must “suspend all judgments about what is real—the ‘natural attitude’—until they are founded on a more certain basis” (Creswell, 2013, p. 77). Undoubtedly, suspending judgment is difficult for many researchers, whose biases may include having specifically selected a particular research topic related to their interests in or personal experiences with the phenomenon. Additionally, a researcher cannot ever be fully removed from the study as the findings are interpreted through his or her human lens; therefore, some partiality still occurs (Creswell, 2013).

A structured process of phenomenology. Though qualitative in nature, phenomenological research studies have a structured approach. First, a common phenomenon to be addressed is identified for the study (Creswell, 2013). This phenomenon can be any experience of an identified group of people. Second, individuals who have experienced the phenomenon are identified, and they are interviewed using a semi-structured interview technique (Creswell, 2013). During this step, the participants' answers are recorded. Third, the data is transcribed, coded, reviewed, and analyzed in order to find the common meaning of the human experience (Creswell, 2013). Finally, common themes are reviewed and presented as a big-picture explanation of the shared phenomenon (Creswell, 2013).

Appropriateness of phenomenology methodology. For the purpose of this study, the commonly shared human experience is that although many attorneys experience workplace stress, some attorneys are nevertheless successful in their profession. This study utilized the phenomenological methodology to examine the shared experience of those attorneys who successfully navigate workplace challenges and utilize strategies to mitigate professional burnout and minimize the effect of psychological and behavioral distress. By interviewing various attorneys who have been successful in overcoming workplace challenges, common practices were identified that have been central to the attorneys' success. Ultimately, this methodology allowed a compilation of best practices and recommendations for legal professionals. Additionally, through the interview process, specific facts and minutia about the participants' lived experiences were gathered at a level of detail that would otherwise not be afforded through more structured approaches (Sofaer, 2002). Therefore, the phenomenological approach was best suited for understanding this phenomenon.

Research Design

The analysis unit in phenomenological research is one particular individual who is being examined for a study (Merriam, 2009). The analysis unit of this study was a California-licensed attorney who has been practicing law in a large law firm for a minimum of five to a maximum of

ten years and—despite facing challenges and stress in his or her career—has successfully managed symptoms of burnout. The population of a study encompasses all individuals within a specific group to whom the topic pertains, who may potentially be interviewed as a subject (Robinson, 2014). The population of this study included all licensed attorneys in the United States.

Sample size. This study aimed to thoroughly comprehend the lived experience of attorneys who have successfully managed burnout and therefore required a small sample size (Porter, 1999; Robinson, 2014). A smaller sample size allows “for individual cases to have a locatable voice within the study, and for an intensive analysis of each case to be conducted” (Robinson, 2014, p. 29). Some researchers have suggested that a sample size as small as three is sufficient (Creswell, 2013; Robinson, 2014). For the purpose of this study, a sample size of 15 participants was selected, which more than fulfills this suggested minimum. This sample size of participants provided sufficient information to saturate the data, in that additional interviews will not yield any new information (Creswell, 2013). The sample in this study included 15 California-licensed attorneys who were employed full-time in a large law firm for a minimum of five and a maximum of ten years.

Participant selection. A purposeful sampling technique was utilized to select participants for this study. A purposeful sample is when “the participants have specific knowledge or experience of interest to the researcher” (Higginbottom, 2004, p. 11). Because this study examined the exemplary behavior of those attorneys who have successfully managed burnout in their professional career, participant selection was intentional. Purposive sampling can help identify exemplary people who can speak to this experience and therefore fulfill the purpose of the study (Merriam, 2009).

Sampling frame. A sampling frame is a master list of all potential participants, complete with contact information. The sampling frame was garnered from the State Bar of California. The State Bar of California was selected because of a large number of licensed attorneys in the

state and geographical proximity to allow for face-to-face interviews. An e-mail sent to the State Bar of California asked to obtain a master list of potential participants. The list provided included all active members of the State Bar of California. Attorney information was also available in the public domain as all licensed attorneys are listed on the state website, but permission was nevertheless obtained from the State Bar. The following process was used to select participants for this study:

- A master list was secured from the State Bar of California.
- All attorneys whose contact information did not include an e-mail address, phone number, and firm name were excluded. The firm name was pertinent to determine whether the attorney was employed by a large law firm with a minimum of 100 attorneys.
- Criteria for inclusion and exclusion were applied, as outlined below.
- From those individuals who met all inclusion and exclusion criteria, a list of eligible participants was created.
- Eligible participants were sent an e-mail using the recruitment script (see Appendix B). The e-mail discussed the nature of the research study and asked volunteers to respond via e-mail.
- A list was created of those attorneys who were the first to respond to the participant request and met all of the criteria above.
- If the sample size was larger than 15 after the criteria for inclusion and exclusion were applied, the criteria for maximum variation were subsequently applied, as outlined below.
- The final list of 15 participants was selected by calling each attorney on the list, starting from the top and working down, ensuring a similar number of male and female attorneys.

- A brief phone interview was conducted to reconfirm that the volunteer met the criteria for this study and was willing and available to participate in the interview. This call script is also included in D C.
- Five alternates were selected in case any of the core 15 participants were unavailable or opted out of the study at any point.

Criteria for inclusion, exclusion, and maximum variation. Criteria for inclusion and exclusion outline the specific characteristics of individuals who are either qualified or disqualified to participate in a research study. These criteria are used to select individuals from the master list. Once the criteria for inclusion and exclusion are applied, the list is sorted for maximum variation. Maximum variation criteria allow the predetermination of factors that can distinguish the participants so as to create the most diverse group of participants as possible (Creswell, 2013).

The criteria for inclusion in this study required the following:

- The participant was an active attorney for a minimum of five consecutive years to a maximum of ten aggregate years.
- The participant was a currently licensed attorney in the State of California, as identified by an active status with the State Bar of California.
- The participant was employed full-time by a large law firm of 100 or more attorneys in the State of California.
- The participant was available to partake in a face-to-face interview.
- The participant was able to speak to his or her experience of successfully managing stress in the legal profession.

The criteria for exclusion from this study were as follows:

- The volunteer declined to give the researcher permission to audio record the interview.
- The volunteer refused to sign the informed consent.

The criteria for maximum variation for the study required the following:

- An equal number of male and female attorneys were invited to participate.
- Selected attorneys practiced in different practice areas.
- Law firm partners were given preference. The list was ranked by title, with partners at the top, with the intent to have as many law firm partners as possible because they are an exemplary group.

Human Subject Consideration

As Merriam (2009) explained, “Painful, debilitating memories may surface in an interview, even if the topic appears routine or benign” (p. 231). Therefore, the researcher must be aware of the potential risk to research participants (Saldaña, 2011). Specifically, partaking in the study should not put participants at a greater risk than they would experience in their everyday life (Morse, 2003). Additionally, all participants are required to receive an informed consent (see Appendix C) and be informed of their right to withdraw from the study should they choose to do so without any adverse effects or consequences to them or their employment (Morse, 2003).

In order to minimize risk to human subjects, several precautions were taken. First, all of the Institutional Review Board (IRB) procedures were followed, as dictated by Pepperdine University Graduate School of Education and Psychology. Prior to recruiting participants, an exempt application was submitted to the IRB for review and approval (see Appendix A). Second, all participants volunteered to participate in the study and were recruited using the same recruitment script (see Appendix B). Third, all participants received a written informed consent form (see Appendix C) for their review and signature prior to the interview. The consent form outlined potential risks and benefits, including the volunteer’s right to withdraw from the study at any point (Butin, 2010). Finally, the participants were informed that their identities would not be included in the study and that confidentiality—including their names, identifiable information, and firm name— would be maintained.

Data Collection

All participants were recruited using an IRB-approved recruitment script (see Appendix B). Those volunteers who responded to the recruitment e-mail subsequently received a call using the call script (see Appendix D) to ensure that all participants were treated the same and received the identical information about the interview. If the participant did not answer his or her phone, a voice mail message was left and a follow-up e-mail was sent to schedule a call. When the participant did answer his or her phone, a face-to-face interview session was scheduled. Participants were asked to allow for approximately one hour of uninterrupted time. Participants were invited to choose an appropriate, safe location for the interview where he or she would feel most comfortable and be able to be most candid with his or her answers (Creswell, 2013).

During the call, participants were reminded that the interview would be recorded, using two recording devices. The purpose of recording the interview was to assist with an accurate collection of the data (Creswell, 2013). Participants were informed that the recordings would be deleted at the completion of the study. If a volunteer refused to be recorded, this person was excluded from the study.

Once a time and location were agreed upon, a calendar appointment was e-mailed to each participant to confirm the time. The e-mail also included the interview questions in order to allow the participant to preview the questions, as well as the written informed consent and permission to record the interview (Creswell, 2013). Participants were asked to return a signed electronic copy of the informed consent prior to the interview, but that extra copies of the informed consent form would be provided on the day of the interview should the participant forget to return the form. All participants who had not previously signed the form were asked to review and sign the form before proceeding with the interview. Each participant received a follow-up e-mail two days before the scheduled appointment in order to confirm that the participant was still available.

On the day of the interview, permission to record the interview was reconfirmed with the participant. Two recording devices—an iPhone 7 Plus and a digital recorder—were used. The first question asked was one of two icebreaker questions, in order to develop a rapport with the participant and help him or her feel more at ease. The standard icebreaker questions were, “Tell me a little bit about yourself,” or “Tell me about your career as a lawyer.” These questions were not included in the study.

The outlined interview questions were then presented. A semi-structured interview was used to collect the data, and each participant was asked the same questions in the same order. Follow-up or clarification questions were used whenever it was necessary to better understand the participant’s intent. These questions were limited to “Can you tell me more?” or “Would you please clarify?” or “What did you mean by ‘X’?”; the follow-up questions were closely related to the standard interview question.

At the conclusion of the interview, the participant was thanked for his or her time. As soon as possible, the interview dialogue was transcribed (Creswell, 2013) and e-mailed to the participant in order to verify the content. Participant verification of the transcript helped increase the internal validity of the study. This protocol was used for all interviews.

Interview Techniques

The most common data collection strategy for phenomenological research is an individual interview (Creswell, 2013). Interviews may be formatted as full-structured, semi-structured, or unstructured (Merriam, 2009). Full-structured or highly-structured interviews utilize a predetermined set of questions that are presented to all participants in the same exact way, without room for rephrasing or follow-up with participants (Merriam, 2009). Though highly-structured interviews are effective in collecting a lot of information, they are inflexible and do not provide rich data (Merriam, 2009). On the other side of the continuum, unstructured interviews allow for flexibility and feel more conversational, as the researcher does not have a predetermined set of questions (Merriam, 2009). Unstructured interviews are often used when

sufficient information about a particular phenomenon is not available for the creation of informed questions (Merriam, 2009). Finally, semi-structured interview techniques allow for some flexibility but also utilize a predetermined set of questions (Merriam, 2009). This technique allows for follow-up if a specific answer is unclear or should be further explored, and provides the study with rich data (Merriam, 2009). The data collection strategy used in this study was a semi-structured interview in order to ensure that all participants received the same questions. The researcher had the flexibility to use follow-up questions when necessary.

The face-to-face, semi-structured interview format has several benefits. First, through face-to-face interaction with the participant, subtle nonverbal cues or subtextual meanings can be followed in order to understand the full intent of the participant (Butin, 2010; Merriam, 2009). This advantage is not afforded in the other data collection procedures. Additionally, follow-up questions can be asked in order to clarify the participant's answers (Merriam, 2009). If the participant does not understand a particular question, the question can be rephrased in order to help the participant understand the meaning. Finally, the semi-structured interview allows for the building of a relationship with the participant, with the hope of helping the participant feel more comfortable in being candid with his or her answers.

Conversely, the semi-structured interview process also has some drawbacks. First, this process is time-consuming as each interview lasted for a minimum of one hour. Second, the face-to-face interview may negatively affect the participant's answers as he or she may be less willing to be fully candid since his or her identity and employer information is known to the researcher (Butin, 2010). Additionally, the presence of the researcher may result in biases. For example, the participant may want to please the researcher in order to be a good participant or answer the questions in the "right" way. On the other hand, the participant may try to exaggerate answers and overstress the challenges in his or her profession, in the hope that the employer may improve conditions at work.

Good interview techniques. Creswell (2013) advised researchers to be prepared for the interview and identified four best practices when interviewing participants. First, politeness must be shown toward the participants. Second, staying on task to ensure all pre-determined interview questions are asked is a responsibility. Third, being respectful of the participant's time and completing the interview in the allotted time is required. Finally, the researcher's main role is to listen to the participant, with minimal interruptions.

Interview Protocol

The interview protocol provides guidance for the data collection process (Creswell, 2013). The protocol included interview questions (IQ) that were asked of all participants. Interview questions are related to the research questions and literature review but are phrased in layman's terms so they can be easily understood by all participants (Creswell, 2013). This study utilized 10 interview questions.

Interview questions. The following semi-structured interview questions were utilized with all participants:

- IQ 1: Describe the sources and levels of stress experienced during a typical week at work.
- IQ 2: Does the firm culture and/or leadership play a role in decreasing your professional stress? If yes, how? If no, why not?
- IQ 3: Does the local or national bar association play a role in decreasing job stress? If yes, how? If no, why not?
- IQ 4: What common strategies and/or resources do you use outside of work to reduce the stress you experience as a result of your role as an attorney?
- IQ 5: What common strategies do you use to navigate interpersonal challenges as related to your role as an attorney?
- IQ 6: What challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?

- IQ 7: What organizational challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?
- IQ 8: Were there things that went wrong that you did not anticipate when implementing the strategies? If yes, what?
- IQ 9: How do you determine whether or not an intervention strategy was successful in decreasing professional stress?
- IQ 10: Knowing what you know now, what would you do differently as a first-year attorney?

The relationship between research and interview questions. Initially, a total of 16 interview questions were designed that corresponded with the original four research questions (Creswell, 2013). The interview questions were revised following a three-step process of peer reviews, expert reviews, and a pilot interview strategy. Table 1 shows the final set of interview questions and the relationship between the research and interview questions. Each interview question is open-ended, allowing the participant the flexibility to speak to the particular question from his or her experience, without any input from the researcher (Merriam, 2009).

Table 1

Research Questions and Corresponding Interview Questions

Research Questions	Corresponding Interview Questions
<p>RQ 1: What strategies and best practices do attorneys deploy to mitigate professional burnout?</p>	<p>IQ 1: Describe the sources and levels of stress experienced during a typical week at work.</p> <p>IQ 2: Does the firm culture and/or leadership play a role in decreasing your professional stress? If yes, how? If no, why not?</p> <p>IQ 3: Does the local or national bar association play a role in decreasing job stress? If yes, how? If no, why not?</p> <p>IQ 4: What common strategies and/or resources do you use outside of work to reduce the stress you experience as a result of your role as an attorney?</p> <p>IQ 5: What common strategies do you use to navigate interpersonal challenges as related to your role as an attorney?</p>
<p>RQ 2: What challenges do attorneys face most often in deploying measures to mitigate professional burnout?</p>	<p>IQ 6: What challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?</p> <p>IQ 7: What organizational challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?</p> <p>IQ 8: Were there things that went wrong that you did not anticipate when implementing the strategies? If yes, what?</p>
<p>RQ 3: How do attorneys assess success measures for mitigating professional burnout?</p>	<p>IQ 9: How do you determine whether or not an intervention strategy was successful in decreasing professional stress?</p>
<p>RQ 4: What recommendation would attorneys give to other law practitioners for mitigating professional burnout?</p>	<p>IQ 10: Knowing what you know now, what would you do differently as a first-year attorney?</p>

Reliability and validity of the study. Simply stated, when a study is reliable and valid, its findings are trustworthy (Merriam, 2009). The reliability of a qualitative study refers to whether, if other researchers repeated the study, they would come to similar conclusions (Thyer, 2001). This study was reliable because the interview questions were reviewed in a three-step process before being presented to participants, the interviews were recorded by two audio devices and transcribed to ensure accuracy, and the data coding was reviewed using a three-step process.

On the other hand, the validity of a qualitative study is the extent to which the research findings are truthful, precise, and credible (Butin, 2010; Creswell, 2014; Thyer, 2001). In essence, if the research findings are consistent with what actually occurred in the participant's experience of the phenomenon, the study has high validity (Merriam, 2009; Creswell, 2013). In order to improve the validity of this study, the triangulation strategy was employed, using multiple resources. One way the validity of the study was ensured was by identifying the researcher's position (Merriam, 2009; Creswell, 2013). The researcher reflected on her biases, including her prior personal and academic experiences with the phenomenon, so as to help the reader understand her unique lens through which the data was collected and interpreted (Merriam, 2009; Creswell, 2013). This study also demonstrated *prima facie* validity, peer review validity, and expert review validity.

Prima facie validity. A study has *prima facie* validity—or face validity—if the instrument used actually measures what it is intended to measure (Auerbach & Silverstein, 2003). Interview questions were used to uncover the essence of the lived experience of the phenomenon. These selected interview questions have face validity because they were informed by the literature review. Additionally, each interview question is directly related to a corresponding research question (see Table 1).

Peer review validity. Peer review affords another opportunity to validate a study (Creswell, 2013). This strategy requires that peers of the researcher review the methodology of

the study and provide an additional perspective (Creswell, 2013; Merriam, 2009). The peer reviewers for this study were doctoral students in Organizational Leadership at Pepperdine University Graduate School of Education in Psychology. Both peer reviewers were well versed in qualitative research methods and coding, and reviewed the research questions and corresponding interview questions. Their suggestions and revisions were applied to the final interview questions used in this study and ensured the questions had content validity.

Expert review validity. The dissertation committee served as the final expert reviewers. They examined each of the four research questions and the corresponding interview questions. The expert reviewers helped ensure that the methodology, research design, and interview questions were aligned with the intent of the research. Once the interview questions were reviewed with the dissertation committee during the Preliminary Oral Examination, several changes were made. These changes were incorporated into the final interview questions that were used in this study, as outlined in Table 1. The expert review validity requirement was met through the use of a total of three expert reviewers and their input established content validity for this study. The initially proposed interview questions and validity questionnaire example are included in Appendix E.

Reliability of instrument. To ascertain the reliability of the instrument used in this study, all interview questions were clear and comprehensible in two ways. First, the interview question verbiage was finalized using both a peer review and an expert review. Second, once this validity process was completed, pilot interviews were conducted with two attorneys who met the criteria for participation. At the end of the pilot interviews, the attorneys provided feedback as to their experience of the interview process. Specifically, they were asked whether the questions were clearly worded and easy to understand. Their feedback was integrated into the final interview questions that were presented to the participants, as outlined above.

Statement of Personal Bias

As the instrument that is used to gather and analyze data, a researcher cannot fully remove himself or herself from the equation (Merriam, 2009). All information is gathered, processed, and analyzed through his or her lens. As Häggman-Laitila (1999) explained, “Understanding another human being’s experiences is possible only through one’s adopted view” (p. 19). Therefore, in order to prevent any potential bias, the researcher must be aware of his or her judgment about the phenomenon and suspend preconceived notions so as not to impact the results of the study (Creswell, 2013). Through the process of epoche or bracketing, expectations and personal biases can be deferred in order to be present and open to new ideas about the researched phenomenon (Creswell, 2013).

Epoche

Epoche—also called bracketing—is a process of identifying and suspending all preconceived notions about the phenomenon being studied (Creswell, 2013). The purpose of epoche is to prevent the researcher from consciously or subconsciously skewing the findings of the study (Creswell, 2013). Therefore, suspending biases can ensure the results of the research accurately reflect the authentic characteristics of the phenomenon (Creswell, 2013).

The researcher of this study is a psychotherapist in private practice who often works with professionals on various issues, including burnout, work-life balance, and stress. Additionally, she is a former human resources manager and has worked with similar issues on the organizational scale. Moreover, she has personally experienced burnout and is intimately familiar with the challenges and symptoms. Finally, the in-depth literature review has exposed the researcher to additional information and perspectives on the topic. Therefore, the researcher has extensive experience with the topic of burnout in various capacities.

Several techniques were used to bracket personal biases. The semi-structured interview approach was key in suspending judgment, as all participants were required to answer the same questions in the same order (Creswell, 2013; Merriam, 2009). The open-ended questions

allowed each participant the flexibility to answer the question as he or she pleased, without any input or guidance by the researcher (Merriam, 2009). Finally, the three-step data analysis process helped ensure that a consensus was reached among peer and expert reviewers in coding and analyzing the data, which minimized any personal bias from the researcher (Creswell, 2013).

Data Analysis

Creswell (2013) conceptualized the data analysis process in qualitative research as one that follows a spiral pattern. He identified five distinct, yet interrelated steps that were applied in this study:

- organizing and managing the data
- reading and memoing
- coding the data
- interpreting the data
- representing and visualizing the data

In the first step, a system must be established to organize the data in a consistent manner (Creswell, 2013). For the purpose of this study, all audio files were transcribed into Word documents. Each interview was saved as a separate document in a computer file. All files were password protected and subsequently backed up on a portable hard drive. This system organized the data for future coding.

Reading and memoing. In the second step, all of the transcribed data is read to extract the bigger picture (Creswell, 2013). Note taking or memoing is encouraged to start the process of identifying themes (Creswell, 2013). In this study, the data was reread multiple times and common motifs in the memos were scrutinized.

As the data were read and reread, memos were made to keep track of the coding procedures and to note reflections on the findings. In this way, memos play an important role in qualitative research (Birks, Chapman, & Francis, 2008; Miles, Huberman, & Saldaña, 2014;

Saldaña, 2011). Memos are used to “engage with the data to a depth that would otherwise be difficult to achieve” (Birks et al., 2008, p. 69). By writing down relevant thoughts, musings, and realizations instantaneously, additional implications were obtained from the data that were otherwise not immediately apparent. The memos were dated and then organized into related categories (Birks et al., 2008; Creswell, 2013; Saldaña, 2011).

Describing, classifying, and interpreting (coding). In the third step, formal categories are created to code the data (Creswell, 2013). Saldaña (2011) defined a code as “a word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data” (p. 3). These coding categories are then applied to each of the interviews. In this study, coding criteria were identified that were consistent across the various transcripts. These criteria formed the basis by which all data were analyzed.

Next, individual codes are organized into groups or themes (Creswell, 2013). Saldaña (2011) distinguished a code from a theme in that a code is overt or obvious in the data, whereas a theme is a more implicit “pattern” or “trend” discovered by the researcher (p. 14). A single theme includes numerous codes (Creswell, 2013; Saldaña, 2011). In this study, the codes sharing a common concept were identified and grouped into a particular theme.

In the fourth step, the data is interpreted. In this stage of the data analysis process, the researcher starts to deduce meaning from the data (Creswell, 2013). Abstract data, codes, and themes are translated into significant, applicable information (Creswell, 2013). For this study, the data interpretation was based on the literature review, specifically within the paradigm of positive organizational scholarship and positive psychology.

Interrater reliability and validity. In qualitative research, a reliable study is one that is consistent (Creswell, 2014; Merriam, 2009). Highly reliable studies will yield same or similar results when repeated (Merriam, 2009). External validity, on the other hand, is the extent to which research findings are transferable (Merriam, 2009). Studies that are high in external

validity can be generalized across different situations (Merriam, 2009). In order to improve reliability and validity of this study, peer and expert reviewers crosschecked the coding (Creswell, 2014).

A four-step process was used to establish interrater reliability and validity in the study.

1. First, transcripts were reviewed and coded for the first three interviews by the researcher.
2. Second, the transcripts and coding results were sent to the peer review panel. The peer reviewer panel included two doctoral students in Organizational Leadership at Pepperdine University Graduate School of Education in Psychology. Both peer reviewers were well versed in qualitative research methods and coding techniques. The panel reviewed each transcript and related coding results and either confirmed the results or provide suggestions for modifications.
3. Third, if a consensus was not reached with the panel of co-raters, the chairperson of the dissertation committee reviewed the transcripts and coding results and broke the tie.
4. Fourth, once a consensus was reached, the same coding procedures were used to code the remaining interviews until coding was completed for all 15 interviews.

The transcripts and coding results were then sent to the panel of co-raters, who were asked to review, confirm, and provide suggestions for modifications as they did previously. If consensus on the coding results was not reached by the panel, the chairperson reviewed the results and broke the tie. The requirement for interrater reliability and validity was met through using multiple peer and expert coders.

Representing and visualizing. In the last stage, the synthesized data is visually represented (Creswell, 2013). Images, graphs, charts, spreadsheets, or other visual depictions may be used to illustrate how the findings relate to one another (Creswell, 2013). For this study,

once the data had been coded and interpreted and a consensus had been reached with peer and expert reviewers, the results of the study were tabulated and shown on a bar chart.

Summary

This chapter outlined the research design and methodology of this study. The qualitative phenomenological approach was employed to pinpoint the best practices for managing attorney burnout in large law firms. Semi-structured interviews were conducted with 15 volunteer participants who met the inclusion and exclusion criteria. A series of 10 interview questions were administered to all participants and the audio recordings of the interview sessions were subsequently transcribed. Once the transcripts were completed, the data were organized, memoed, coded, and interpreted, and the final results were displayed on a bar chart. The instrument (interview questions) and the coding procedures were corroborated through a three-step process to ensure the study's reliability and validity. Chapter 4 presents the results of this study.

Chapter 4: Findings

Introduction

The purpose of this study was to identify strategies most often utilized by attorneys for managing professional stress and burnout. Chapter 4 presents these findings. First, the participant selection process is detailed, including an overview of basic interviewee demographics. Second, the data collection procedures are discussed, highlighting the interview questions, protocol and schedules. Next, the data analysis and coding process is detailed, including how themes were derived and validated. Lastly, the data is displayed and organized by research question and its related interview question(s). Each interview question is represented with a column chart and a subsequent discussion of the emerging themes. This chapter concludes with a summary of the findings.

Participant Selection

Purposive sampling was utilized to select interview participants for this phenomenological study. The proposed plan for participant selection in Chapter 3 was implemented with modifications and the following process was used to select participants for this study:

- A master list was garnered from the State Bar of California. This list included the names and contact information of 168,584 active members of the State Bar.
- Members with incomplete contact information were immediately excluded from the study. This included those individuals who did not provide an e-mail address, phone number, or firm name. The firm name was especially important in determining whether or not the individual was employed in a large law firm. The master listed was sorted by firm name, and all individuals who were not employed by a large firm with a minimum of 100 attorneys were excluded from the study.
- Individuals employed outside of Los Angeles, San Bernardino and Orange Counties were excluded from this study. The study focused on these three counties in

Southern California due to geographical proximity to researcher to allow for face-to-face interviews. This final step resulted in a list of close to five thousand eligible participants.

- Using the random number generator function in Microsoft Excel, each remaining name was computationally assigned a random number. The list was then sorted in ascending order using the random number. Eligible participants were contacted in this order using Google mail merge software. The recruitment e-mail outlined the nature of the study and asked volunteers to respond via e-mail (see Appendix B).
- Due to expressed interest to participate by multiple attorneys who have been employed in law for well over ten years, the participant inclusion criteria was revised and the upper range limit was removed. The dissertation committee permitted this revision, with approval by the Institutional Review Board (IRB).
- A list was created of those attorneys who responded to the recruitment e-mail, expressed interest in participating, and met all inclusion and exclusion criteria as outlined in Chapter 3 with revisions discussed above. Although this list initially included 28 attorneys, a total of 13 were dropped from the study due to being nonresponsive or unavailable for a face-to-face interview during the timeline of the study.

The final list of participants included 15 attorneys ($N = 15$), including 12 males and 3 females. No two attorneys were employed at the same law firm and represented a wide variety of roles, titles, and practice areas, allowing for maximum variability:

- Participants engaged in transactional practice ($n = 3$), litigation ($n = 10$), or both ($n = 2$).
- Participants spanned practice areas including bankruptcy and restructuring, entertainment and media, finance, intellectual property, real estate, corporate

governance and compliance, health care, non-profit, commercial, insurance, technology, international trade and general liability, among others.

- Participant titles included equity and non-equity partners ($n = 9$), senior counsel and of counsel ($n = 3$), and associates ($n = 3$).
- Participant years in practice spanned 38 years, with a minimum of 5 years in practice and a maximum of 43 years in practice (see Figure 1). The average years of practice among all participants was 25.73 years.



Figure 1. Participant years in practice

Data Collection

Data collection procedures as outlined in Chapter 3 were applied, with the exception that the majority of the initial correspondence and scheduling was conducted via e-mail. Once an interview date and time were scheduled, participants received confirmation via e-mail. The confirmation e-mail included a copy of the informed consent form, as well as the list of the interview questions. Participants were encouraged to review both documents prior to the date of the interview.

All interviews were conducted face-to-face at a location selected by the participant. The majority of the interviews were conducted at the participant's law firm, including their private office or conference room ($n = 10$). The remaining interviews took place in a reserved library

room ($n = 2$), public café ($n = 2$), and a university restaurant ($n = 1$). Interviews were conducted between 5 February 2017 and 27 February 2017 (see Table 2).

Table 2

Date of Participant Interviews

Participant	Interview Date
P1	February 5, 2017
P2	February 6, 2017
P3	February 7, 2017
P4	February 8, 2017
P5	February 8, 2017
P6	February 9, 2017
P7	February 11, 2017
P8	February 13, 2017
P9	February 14, 2017
P10	February 16, 2017
P11	February 16, 2017
P12	February 22, 2017
P13	February 24, 2017
P14	February 25, 2017
P15	February 27, 2017

On the day of the interview, participants were asked to sign the informed consent form if they had not already returned the form via e-mail. Participants were reminded that the interview would be recorded and permission was reconfirmed. The interviews were recorded using two devices—an iPhone 7 Plus and an Olympus digital voice recorder. After a standard icebreaker question, “Tell me about your career as a lawyer,” the semi-structured interview was conducted. All interview questions were presented to each participant in the same order and interview techniques and best practices were utilized as outlined in Chapter 3:

- IQ 1: Describe the sources and levels of stress experienced during a typical week at work.
- IQ 2: Does the firm culture and/or leadership play a role in decreasing your professional stress? If yes, how? If no, why not?

- IQ 3: Does the local or national bar association play a role in decreasing job stress?
If yes, how? If no, why not?
- IQ 4: What common strategies and/or resources do you use outside of work to reduce the stress you experience as a result of your role as an attorney?
- IQ 5: What common strategies do you use to navigate interpersonal challenges as related to your role as an attorney?
- IQ 6: What challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?
- IQ 7: What organizational challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?
- IQ 8: Were there things that went wrong that you did not anticipate when implementing the strategies? If yes, what?
- IQ 9: How do you determine whether or not an intervention strategy was successful in decreasing professional stress?
- IQ 10: Knowing what you know now, what would you do differently as a first-year attorney?

At the completion of the interview, the participant was thanked for his or her time and willingness to partake in the study. The recording was subsequently transcribed and stored per procedures outlined in Chapter 3. In order to ensure accuracy, the recording was played back and the completed transcript was reviewed and revised as necessary. This process was repeated for each interview. At the conclusion of all interviews, the data analysis process commenced.

Data Analysis and Coding

Creswell (2013) conceptualized the data analysis process as progressing through five distinct steps:

- organizing and managing the data
- reading and memoing
- coding the data
- interpreting the data
- representing and visualizing the data

These steps were applied in this study. First, data was organized by participant with the designations P1 through P15 to maintain anonymity. All files were password protected and stored in a single computer file for easy access. Second, all transcribed interviews were read and reread, and memos were used to note thoughts, reflections, potential implications, and preliminary codes. Next, transcripts were reread and coding categories were identified. These individual codes were then organized into themes. The codes and themes were cross-checked by peer and expert reviewers to ensure reliability and validity, as outlined in Chapter 3.

Data Display

The following research questions (RQ) were addressed in this study:

- RQ 1: What strategies and best practices do attorneys deploy to mitigate professional burnout?
- RQ 2: What challenges do attorneys face most often in deploying measures to mitigate professional burnout?
- RQ 3: How do attorneys assess success measures for mitigating professional burnout?
- RQ 4: What recommendations would attorneys give to other law practitioners for mitigating professional burnout?

Each research question (RQ) corresponded to one or more interview question (IQ) as outlined in Table 1. The data was organized by each research question and its related interview questions. The themes were visually represented by frequency charts, and representative quotes were included to support emerging themes.

Research question 1. Research question 1 explored the strategies attorneys used to navigate professional challenges and mitigate burnout. This question created the foundation on which all future questions were based. This question sought to understand the sources of professional stress from the attorney's perspective, as well as identify organizational, institutional, and individual practices for managing identified challenges. The five interview questions that corresponded to this research question included:

- IQ 1: Describe the sources and levels of stress experienced during a typical week at work.
- IQ 2: Does the firm culture and/or leadership play a role in decreasing your professional stress? If yes, how? If no, why not?
- IQ 3: Does the local or national bar association play a role in decreasing job stress? If yes, how? If no, why not?
- IQ 4: What common strategies and/or resources do you use outside of work to reduce the stress you experience as a result of your role as an attorney?
- IQ 5: What common strategies do you use to navigate interpersonal challenges as related to your role as an attorney?

Interview question 1. Interview question 1 asked attorneys to identify sources of professional stress. This question resulted in six themes: demanding workload ($n = 13$); client management ($n = 13$); business management ($n = 8$); office politics ($n = 7$); billable hours ($n = 7$); and adversity ($n = 5$); see Figure 2.

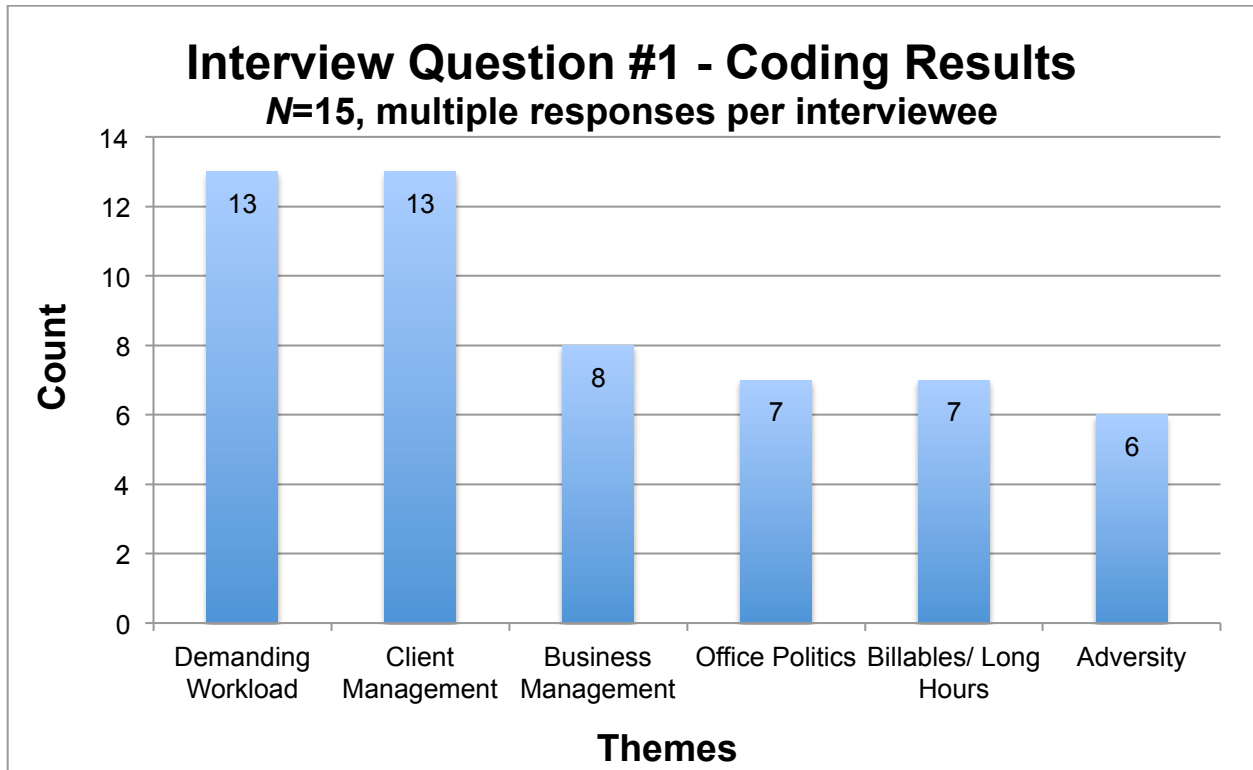


Figure 2. Interview question 1: Sources of professional stress.

Demanding workload. A demanding workload emerged as one of two most frequently cited sources of stress for attorneys during a typical workweek ($n = 13$). This theme encompassed various aspects of the legal profession that contribute to workplace pressure, including aggressive deadlines, unpredictable schedules, very low error tolerance, unexpected emergencies, and the overall fast pace of the legal environment, as well as the vast amounts of work. Contributing to the high-pressure environment was the fact that clients pay attorneys a lot of money to attain desired results. As one senior attorney explained, “Someone is relying on your judgment and they’re betting vast amounts of money on you being right” (P6, personal communication, February 9, 2017). Still, even when results were achieved, attorneys were rarely rewarded for their efforts. One participant stated, “You don’t even get a ‘thank you’ e-mail even if you win the case, which is insane and stressful” (P7, personal communication, February 11, 2017).

Client management. With an equal number of responses as a demanding workload ($n = 13$), client management proved to be another great source of stress for attorneys. This theme included managing client expectations, dealing with clients who have unrealistic expectations, including handling client requests that are improper or borderline improper, and being responsive to client needs. Several participants discussed the pressures and expectations of being responsive to clients all hours of the day, though client requests and demands often conflict. In discussing the significance of having a strong working relationship with clients, one senior partner stated, “Every client is important. Every client—I want them to think—is the only client I have, the only one I care about” (P9, personal communication, February 14, 2017).

Business management. As attorneys become more senior, they have more responsibilities to manage the business aspects of the firm. This theme emerged as one of the top themes ($n = 8$) and included challenges such as bringing in enough work to keep everyone on the team busy, managing the workload of others and relying on them to do a good job, supervising team members, overseeing day-to-day administrative functions, and feeling a sense of responsibility for the career success of junior attorneys. Business pressures are unique to senior team members; however, they are not exclusive to attorneys working in BigLaw. One senior partner explained, “You have to provide for yourself, whether you're in a big firm, medium firm, or on your own. It's always an issue” (P12, personal communication, February 22, 2017).

Office politics. Another great source of stress for attorneys is the politics within the workplace ($n = 7$). This theme encompassed challenges such as navigating office power dynamics, interacting with difficult colleagues, proving oneself to senior team members, and managing expectations of decision-makers. Several attorneys recalled experiences at prior firms where office politics were a bigger issue, including one senior partner who stated, “It was a political trade on making partner instead of pure merit evaluation” (P5, personal communication, February 8, 2017). However, even in the most well-intentioned firms, office power struggles can

still interfere. As one senior partner explained, “Lawyers have egos and sometimes, they get out of whack” (P9, personal communication, February 14, 2017).

Billable hours. Billable hour minimum requirements are a contributing factor of stress for attorneys. Approximately half of participants ($n = 7$) reported that organizational billability requirements, and the often-resulting long days, are a source of weekly pressures. One senior attorney explained, “One source of stress in my business that has been with me from the get-go is that I work on billable hours, which means that I have a minimum required annually, and if I don’t meet those, then I haven’t met my commitment to the firm” (P1, personal communication, February 5, 2017). Another participant recalled a time when his schedule was particularly brutal, stating, “The worst was, at one point I think I was going about 23 hours a day and had an hour sleep, for a matter of several weeks” (P6, personal communication, February 9, 2017). Billable hour minimums were typically decreased as an attorney grew in his or her role and was required to take on business management responsibilities, such as marketing and bringing in new business. Still, several partners also identified the burden of meeting billable minimums as a source of stress. One senior partner explained, “I’m required to bill more hours now than I was five or six years ago, and it creates mores stress” (P11, personal communication, February 16, 2017).

Adversity. The final theme that emerged from this question was adversity. Several attorneys ($n = 6$) cited the inherently adversarial nature of their profession as a significant source of stress. Participants highlighted both internal and external adversity, stating, “Everything is a fight with somebody. Either the [opposing] lawyer, sometimes your own client, or other people on the team—which shouldn’t happen in an ideal world, but it does” (P7, personal communication, February 11, 2017). In-house challenges are exacerbated as senior associates compete for limited partnership promotions. One equity partner explained, “As you progress, there’s pressure to excel relative to some of the other associates, to earn a reputation for yourself, to make partner” (P10, personal communication, February 16, 2017).

Interview question 1 summary. Interview question 1 examined the characteristics of the legal profession that were the greatest sources of stress for attorneys. Over 86% of participants ($n = 13$) identified the highly demanding workload and challenges managing clients as factors that contributed to the high-pressure legal environment. The remaining four themes were cited in similar frequencies: business management ($n = 8$); office politics ($n = 7$); billable hours ($n = 7$); and adversity ($n = 6$).

Interview question 2. Interview question 2 sought to determine whether or not the firm culture and leadership played an important role in decreasing professional stress. Several participants ($n = 4$) reported that neither the organizational culture nor the firm leadership lessened workplace pressures. Still, the majority of participants believed their organization was essential to reducing their stress, resulting in three themes: collegial environment ($n = 11$); supportive leadership ($n = 6$); and long-term business focus ($n = 3$); see Figure 3.

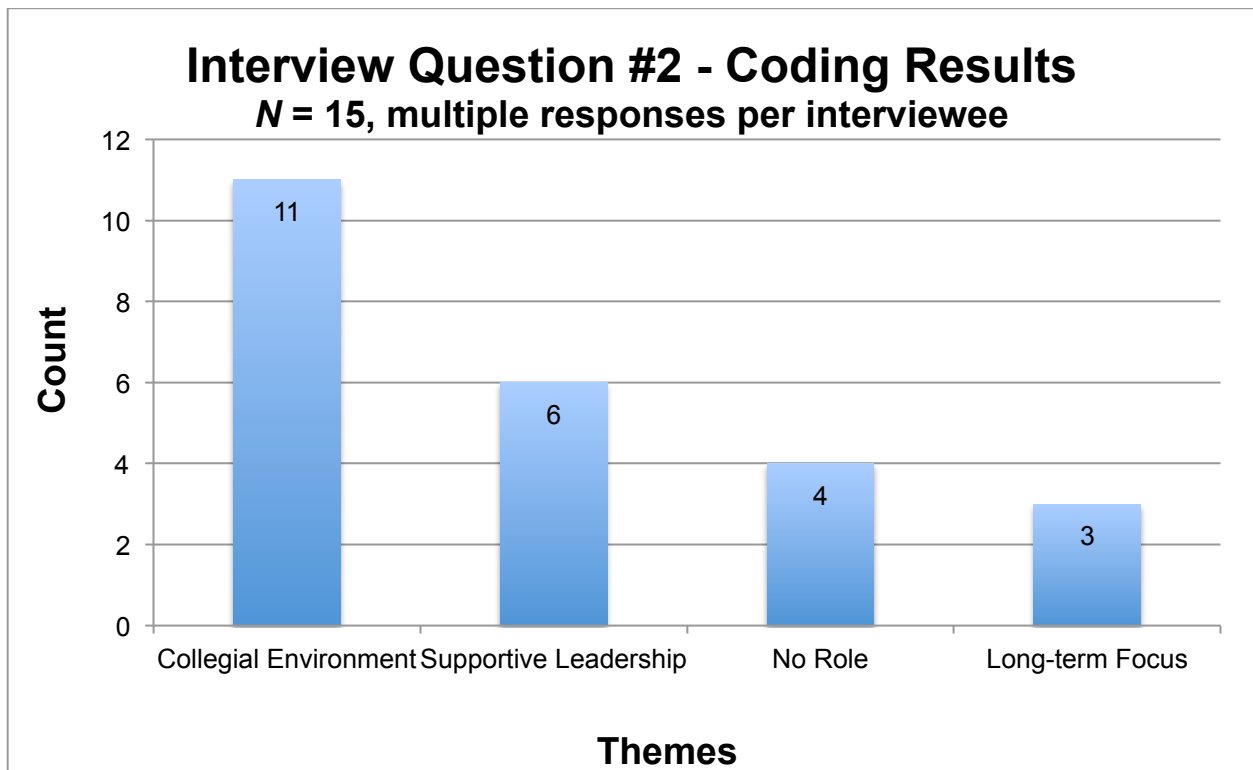


Figure 3. Interview question 2: Firm's role in decreasing stress.

No role. When asked if their law firm played a role in decreasing professional stress, four of the participants said that it did not. Answers to this question ranged from a forgiving, “Not very much, and it’s fairly typical” (P6, personal communication, February 9, 2017), to a more assertive, “They make stress, not reduce it” (P13, personal communication, February 24, 2017). Although participants acknowledged that the firm has the power to affect change and could put more energy toward reducing stress to improve the problem, several agreed that stress is just the nature of the legal profession and that reducing it, quite frankly, was not a priority for the firm. Some went as far as to say that their current or previous firms were intent on keeping work stressful. One participant explained, “I don’t think [my] firm is interested, and I don’t think any large law firm that I’ve heard of—talking with my other [lawyer] friends at other places—are interested in making it less stressful. This is how they want it to be” (P7, personal communication, February 11, 2017).

Collegial environment. The majority of the respondents ($n = 11$) recognized that their law firm played a significant role in decreasing their and their colleague’s professional stress. All of these individuals cited their firm’s collegial environment as a main contributor to reducing stress, the theme that emerged most frequently. A collegial environment represents one where employees felt like they were part of a team, had the support of their colleagues, were encouraged to collaborate with those around them, and had close and personal relationships with the people at their firm. Respondents described their firm culture as incentivizing collaborative behaviors while simultaneously disincentivizing competition. One participant simply stated, “We don’t intentionally hire jerks” (P9, personal communication, February 14, 2017), while several explained that their firm’s bonus and compensation structures discourage rivalries that typically occur at other large firms (P5, personal communication, February 8, 2017; P12, personal communication, February 22, 2017). In describing his firm’s culture, one partner cited his organization’s values, “One firm—treat your colleagues like your best client” (P8, personal communication, February 13, 2017).

Supportive leadership. Six of the participants identified the unique position of the firm's leaders to reduce professional stress. They described their leaders as understanding, welcoming, supportive, and fair. One participant described the firm's managing partner as "approachable" (P1, personal communication, February 5, 2017), while another expressed content with the firm's mentorship program, stating, "I have a mentor that I really like and could confide in" (P14, personal communication, February 25, 2017). Several participants discussed the importance for firm leaders to be impartial and objective in their decisions as a significant reducer of stress. One partner portrayed the firm's managing partner as someone who is firm but fair:

Even when he has made decisions that might go against something that I want to do, I think he is making it in the best interest of the firm. He is pretty much above [office] politics... You can tell he is a great guy. Everyone loves him. He is smart. I mean, he is a tough guy, he's not a push-over by any means. But you respect him and you know he is doing the best for the institution... I have never seen political influence [here] the way I have seen it at other law firms. (P5, personal communication, February 8, 2017)

Participants understood the position of firm leaders to set the tone for the rest of the organization.

Long-term business focus. Three participants highlighted the significance of a forward-thinking culture in reducing professional stress, resulting in the third and final theme. A long-term business focus includes firms that prioritized lasting, future gains as opposed to short-term wins. These participants described their firm's outlook on law as a practice and process, with emphasis on investing in and developing their team, rather than rewarding shortsighted, fleeting profitability. One partner explained, "You can't create a cohesive environment if all you are doing is focusing exclusively on profitability" and contrasted that with firms where "if you have a hiccup and lose a major client, your career can be irreparably harmed" (P15, personal communication, February 27, 2017). Another partner described this value as a "growth

mindset,” leaving room for human error while knowing that “we’re all learning and growing,” (P3, personal communication, February 7, 2017). Per participant input, firms that look toward the future create a culture of collegiality and security.

Interview question 2 summary. Interview question 2 explored the organization’s function in lessening stress experienced by attorneys. Although several attorneys denied that their firm played any significant role in reducing their stress ($n = 4$), they clarified that this was not reflective of any failed attempts to do so, but rather because the firm did not make stress-reduction a priority. Still, the majority affirmed their organization’s ability to create an atmosphere where stress was reduced ($n = 11$). Of those attorneys who acknowledged the significance of the firm’s culture and leadership on lessening work pressures, three key themes emerged: collegial environment ($n = 11$); supportive leadership ($n = 6$); and long-term business focus ($n = 3$).

Interview question 3. Interview question 3 examined the role of the local or national bar associations in decreasing professional stress. The vast majority of respondents ($n = 13$) denied that the bar associations had any significant part in stress reduction, while two respondents believed that they did (see Figure 4). Three themes were identified: no, the bar does not reduce stress ($n = 10$); no, stress reduction is not their purpose ($n = 3$); and yes, the bar does reduce stress ($n = 2$).

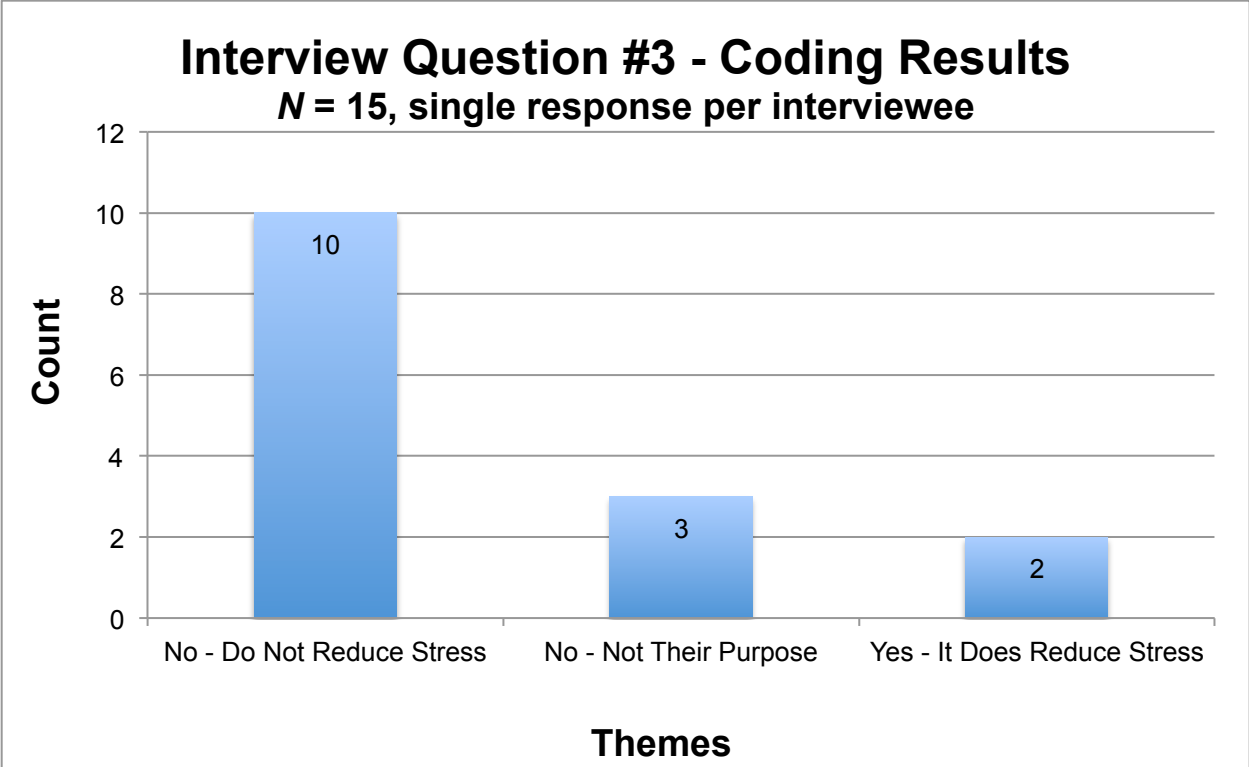


Figure 4. Interview question 3: Bar association’s role in decreasing stress.

No, the bar does not reduce stress. Ten out of fifteen participants stated that neither the local nor national bar associations played a role in decreasing stress. Some participants admitted that they were not actively involved with the associations, citing their already busy work schedules (P8, personal communication, February 13, 2017). Others acknowledged current or previous membership but denied that their involvement contributed to stress reduction. One participant explained, “It just makes me feel good to [go to bar association activities]. I don’t know that is has much to do with reducing stress” (P12, personal communication, February 22, 2017). Additionally, several participants recalled that the bar associations offered resources and support programs for attorneys struggling with substance abuse and addiction (P1, P9, P10, P14). They denied that these programs reduced their stress, although they acknowledged the significance of these programs for attorneys

No, the bar does not reduce stress because it is not their purpose. A second theme emerged of those attorneys who denied that the bar associations reduced their stress, but

clarified that they did not think it was the bar's purpose to do so. These participants ($n = 3$) believed the purpose of the bar association was to provide opportunities for continuing education, as well as social and professional networking. Still, some acknowledged that stress reduction could be a potential secondary benefit of membership, but they were unsure. One attorney joked, "I'm sure there is some benefit to getting to know other lawyers when it's not my job to be mean to them" (P7, personal communication, February 11, 2017).

Yes, the bar does reduce stress. The final theme includes those individuals who believed that the bar associations played a role in decreasing professional stress ($n = 2$). One way the bar associations reduced stress was by supporting professional advancement for self and others through opportunities to give back (P3, P15). One participant clarified that the bar plays an important role in "commissioning studies and helping people to have a vocabulary to look at and think about [professional] issues, which also does help to relieve stress" (P3, personal communication, February 7, 2017).

Interview question 3 summary. Interview question 3 examined the role of bar associations on occupational stress. The majority of participants ($n = 13$) denied that an affiliation with a local or national bar association decreased workplace pressures. Ten of these participants simply denied the bar associations played any role, while three emphasized that they did not believe it was the bar's duty to do so. Only two participants recognized their involvement in the group as a source of stress-reduction, highlighting the benefits of the supportive environment.

Interview question 4. Given the inherently taxing nature of the legal profession, what were some strategies that attorneys employed outside of work to manage their stress? Many participants agreed about the importance of living a balanced life outside of the office. One attorney advised, "You don't want your entire self to be wrapped up in just your work" (P3, personal communication, February 7, 2017). Reflecting on a longstanding career in the law, one senior partner recalled:

When I was a younger lawyer in my 20s or 30s, winning that motion or winning that case was everything. As you get into your 40s, 50s, and even your 60s, that's just not the be-all and end-all for you. As much as being a lawyer is challenging and rewarding on certain levels, it's not as rewarding as doing a lot of other things—like doing things with your family, doing things with your church, doing things with your community. As you get older, these things become obviously a lot more rewarding to you than winning a case. (P11, personal communication, February 16, 2017).

Several acknowledged that stepping away from their job actually contributed to their success as an attorney. Each participant discussed his or her stress-management practices and six themes emerged: exercising and staying active ($n = 11$); spousal and family support ($n = 11$); staying engaged with hobbies ($n = 9$); traveling ($n = 5$); mindfulness practices ($n = 5$); and staying involved in one's community ($n = 3$); see Figure 5.

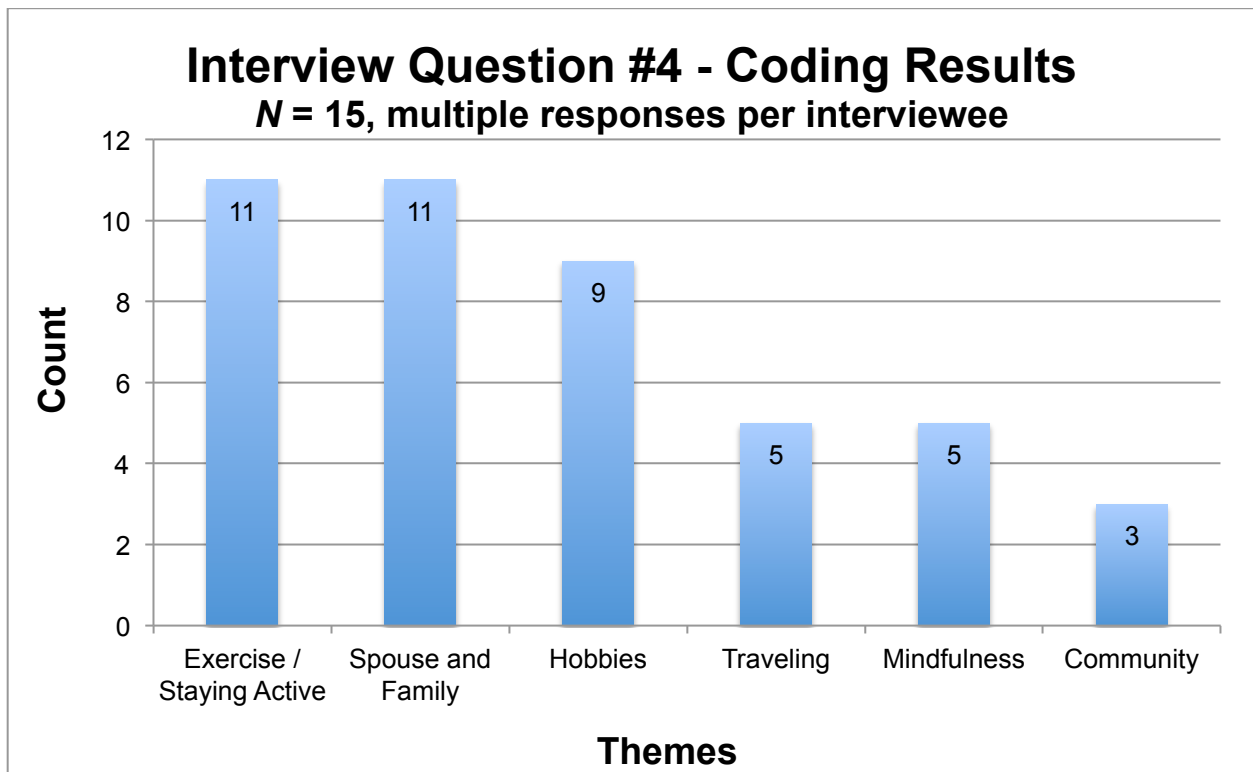


Figure 5. Interview question 4: Strategies to reduce stress outside of work.

Exercise and staying active. One theme that emerged was the important role that staying physically active played in reducing professional stress. The majority of attorneys ($n = 11$) discussed their active lifestyle and this theme included answers such as running, biking, hiking, going to the gym, and being involved in sports. One senior partner joked, “I have karate classes three days a week, so I’m beating up people, which is a very, very good way of dealing with stress” (P9, personal communication, February 14, 2017).

Spouse and family. Equally common, a theme of spousal and familial support and involvement emerged ($n = 11$). Attorneys discussed the importance of staying engaged with their families, children, and grandchildren. Many also expressed gratitude toward their supportive spouse, who helped reduce their professional stress just by nature of being available to them. One participant emphasized the important role a spouse can play in reducing stress, stating “We’ll talk about [my day] and, for good or ill, after those discussions, you feel that the weight has been shared and lifted and dealt with” (P9, personal communication, February 14, 2017).

Hobbies. Hobbies included those activities in which the participants engaged in quite regularly for reducing stress. A majority of attorneys ($n = 9$) stated that their hobbies were a great way of managing challenges in the workplace as well as staying true to themselves. In discussing the importance of doing enjoyable things, one participant stated, “Very early in my career, I decided that I was willing to walk away from the practice of law before losing the parts of me that I like” (P14, personal communication, February 25, 2017). Additional answers included classic hobbies such as reading, golfing, and doing crosswords, while some attorneys enjoyed unique activities such as boating, scuba diving, computer programming, and car racing. No matter the choice of hobbies, all attorneys agreed that getting away from the practice of law at least for a little while was important. One racing enthusiast explained, “It’s nice to relax at 120 mph. When you are on the track, that’s all you can do” (P5, personal communication, February 8, 2017).

Traveling. Over 30% of respondents ($n = 5$) reported that they travel as a means of reducing stress. Due to the billability demands on attorneys, extended travel is a challenge for many attorneys. Several participants recalled their experience at previous firms, where traveling and vacation time was more of an exception than the rule. Though taking time off can be a challenge, the participants understood the benefits of getting away and setting appropriate boundaries “no matter what:”

We travel a lot as a family. We do an international trip every year when we go on some kind of adventure, and we do it as a family and that’s something we look forward to all year. We do it no matter what—no matter what’s going on at work, no matter what might interfere with it, we just go. I’ve never canceled one of those [trips] and I probably won’t. I draw the line on that. . . . That’s been a really good outlet . . . I almost don’t care where we go, it’s just the time of being together as a [family]. (P10, personal communication, February 16, 2017)

Even with the demands of the profession, some attorneys were able to regularly set aside time traveling, whether on short or long trips.

Mindfulness practices. An equal number of respondents ($n = 5$) explained that their mind-body worked played a significant role in decreasing stress. The theme of mindfulness practices included responses such as meditation, mindfulness meditation, yoga, retreats, and simply “being present with others” (P14, personal communication, February 25, 2017).

Community. Finally, a few attorneys ($n = 3$) reflected on the importance of being involved in local and professional groups as a factor of reducing stress. The theme of community emerged and involved practices such as charity work, going to church, helping neighbors, or volunteering on boards. Attorneys described this theme as being particularly rewarding, stating, “I’m really involved in the community, I’m on a bunch of different boards, and that is also very fulfilling to me” (P3, personal communication, February 7, 2017).

Interview question 4 summary. When asked about stress-reduction practices, participants identified multiple strategies that helped to mitigate professional stress. The top three themes included: exercise and staying active ($n = 11$); spousal and family support ($n = 11$); and participating in hobbies ($n = 9$). The remaining themes that emerged included: traveling ($n = 5$); mindfulness practices ($n = 5$); and staying involved in their community ($n = 3$).

Interview question 5. Interpersonal challenges are a common occurrence in the adversarial legal profession. Whether amongst colleagues, clients, or opposing counsel, successful attorneys know how to navigate relational issues. As one attorney explained, “If you want to fight everyone over everything, this is going to be a very difficult profession for you to be successful, and, basically to survive with your mental health intact” (P11, personal communication, February 11, 2017). This question sought to determine the strategies most often employed by attorneys to circumvent social stressors. Five main themes emerged: proactive ($n = 10$); preventive ($n = 6$); support from others ($n = 3$); empathy ($n = 3$); and detachment ($n = 3$); see Figure 6.

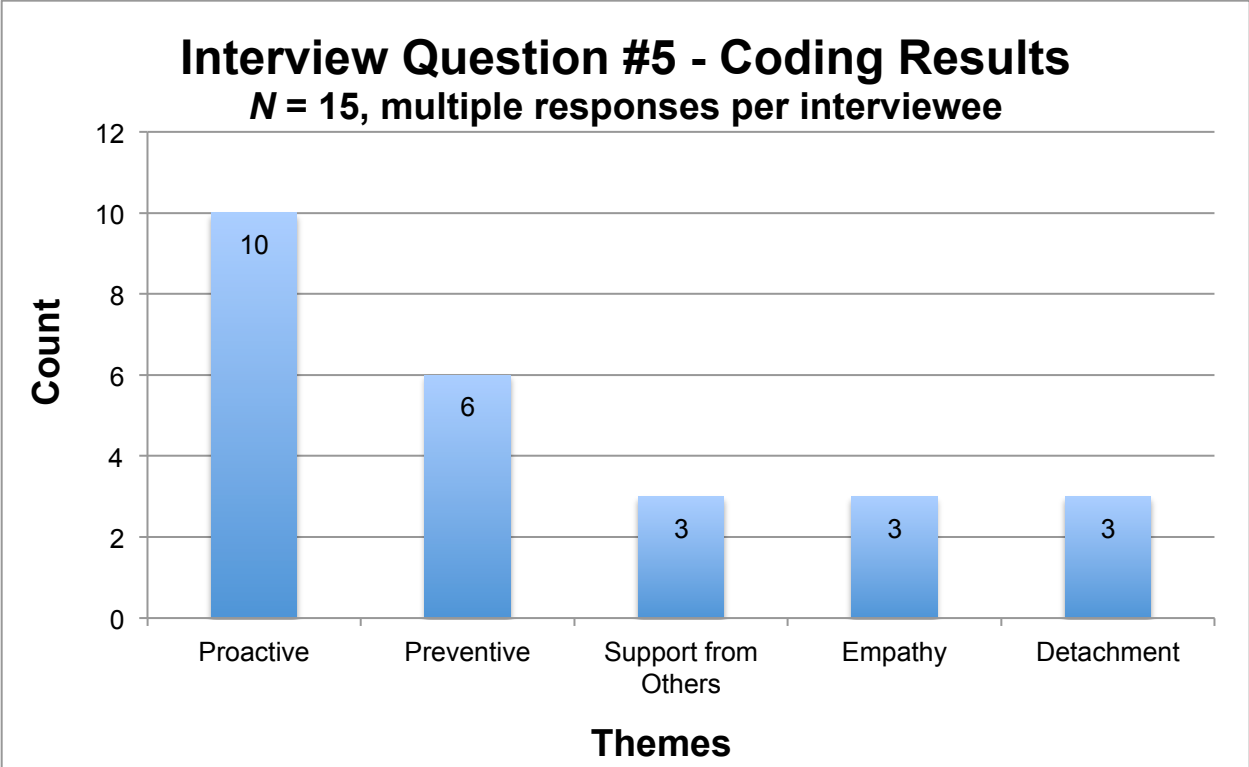


Figure 6. Interview question 5: Interpersonal strategies.

Proactive. The majority of attorneys ($n = 10$) reported that they regularly tried to preempt interpersonal challenges and resolved them before they escalated. Participant 1 explained, “When I sense that there is something that’s not going well, or that the client is uncomfortable with something, I strategize in my head how to take away that unease. I don’t ignore those signs” (personal communication, February 5, 2017). These proactive strategies emerged as the most frequently used, including being direct, open, honest, tolerant, flexible, and adaptable to challenges that arise. Several participants also highlighted the importance of being patient and deliberate with their communication, as opposed to just reacting emotionally to a tense situation. By using this hands-on approach, attorneys expressed their ability to diffuse potentially destructive interpersonal situations:

The thing that I try to do when challenges come up is to keep calm and think through things. Not respond impulsively to things. Especially when there’s an interpersonal challenge the first thought that comes to mind is not the most constructive. I’ve learned

over the years that your initial impulsive response is usually not a great one. It's better to think through things and have a more reasoned response. (P10, personal communication, February 16, 2016)

In addition to being the most often used strategy, the proactive approach seemed to be most effective in the long-term. One senior attorney illustrated the success of using this technique with “abrasive” colleagues, stating, “Over time, our relationship has mellowed” (P6, personal communication, February 9, 2016).

Preventive. Several attorneys ($n = 6$) described their strategy of navigating the interpersonal arena as one focused on preventing issues from arising. Some participants focused on more practical communication skills, such as encouraging open and honest communication within their team and being professional with their colleagues. In an attempt to minimize conflict and misunderstanding, one attorney highlighted the importance of being clear and direct when communicating. This Participant stated, “I prefer meeting in person as opposed to on the phone, or picking up the phone as opposed to e-mail. That helps communication a lot” (P8, personal communication, February 13, 2017).

Other participants focused more on soft skills, emphasizing their personal attributes that have contributed to their success in interacting with others. One simply stated, “You have to have an approach to the work that makes it less likely that you will have conflicts with people” (P4, personal communication, February 8, 2017). Another attorney—with over 30 years of experience—illustrated the success of prevention strategies motivated by building relationships at the outset:

I try and develop, from the get-go, a collegial or interpersonal relationship. I try and start it off well from the beginning, so that we get to know each other ahead of time. I think that goes a long way in staying off those kinds of [interpersonal] issues. I don't usually have them, quite frankly. Maybe on one I can count how many times I've really had an issue. (P1, personal communication, February 5, 2017)

Though adversity may be part of the nature of the legal profession, some attorneys have learned how to minimize interpersonal challenges through positive and professional communication.

Support from others. Although proactive and preventive strategies were most often employed by attorneys, sometimes, no matter what one tries to do, some conflicts simply cannot be avoided. In these cases, participants discussed the importance of having a trustworthy other in whom they could confide ($n = 3$). This camaraderie was helpful in both brainstorming on how to resolve a lingering interpersonal issue, as well as having someone who can listen and validate the experience. In recounting an especially unpleasant interpersonal issue, one participant explained, "I told [my colleagues] and they all agreed. They knew he was awful" (P14, personal communication, February 25, 2017). Another detailed:

I have the benefit of being really close friends with a [lawyer] that works in the office next to me, so we commiserate often. . . . That's helpful. I know that this partner we both work for says the same mean things to this [lawyer] but secretly, he likes both of us. It's the weirdest thing in the world. (P7, personal communication, February 11, 2017)

Having a dependable colleague to whom one can vent can be an effective way of managing interpersonal challenges in the workplace.

Empathy. Even in the face of interpersonal conflict, attorneys must be able to get results for their clients. In this discussion, a theme of empathy emerged ($n = 3$). Participants discussed the importance of listening to others, understanding their position, and finding common ground on which they can connect and move forward. One participant clarified, "There is a reason they believe what they believe, so trying to understand that and then helping them come from that is part of the [resolution] process" (P2, personal communication, February 6, 2017).

Detachment. When someone is intent on being confrontational, the only recourse may be to distance oneself physically or emotionally from the situation. With a similar frequency as the previous two themes, a theme of detachment emerged ($n = 3$) as a strategy used to

navigate interpersonal stressors. Attorneys discussed the importance of disengaging with aggressive colleagues or opposing counsel members by declining to work with them in the future or limiting interactions to written exchanges. Another attorney discussed the importance of emotional distancing from conflict, stating, “I try not to take anything personally, which is its own skill you have to develop” (P7, personal communication, February 11, 2017).

Interview question 5 summary. The legal profession is notorious for its social adversity. Interview question 5 asked attorneys to identify strategies they used to mitigate interpersonal stressors. Five main themes emerged: proactive strategies ($n = 10$); preventive strategies ($n = 6$); obtaining support from others ($n = 3$); being empathic ($n = 3$); and a healthy detachment ($n = 3$).

Research question 1 summary. Across the board, participants acknowledged that they worked in an especially stressful profession. Some referred to the collective challenges in the legal field as “the nature of the beast” (P14, personal communication, February 25, 2017), implying acceptance of the fact that intense workplace pressures are characteristic of law. Participants reported that the main contributors of stress were the demanding workload ($n = 13$), difficult or unreasonable clients ($n = 13$), business management responsibilities ($n = 8$), office politics ($n = 7$), billable hour requirements ($n = 7$), and interpersonal adversity ($n = 6$). The majority of participants ($n = 11$) believed that their firm culture and leadership played an important role in decreasing professional stress, through engendering a collegial, collaborative, and supportive environment. However, four participants ($n = 4$) denied that their organization had any significant function in reducing stress—with one participant even stating, “They make stress, not reduce it” (P13, personal communication, February 24, 2017). Still, all four of these participants acknowledged that their organization had the *capacity* to influence change, but simply chooses not to make it a priority. One senior partner explained, “The firm doesn't in any regular way pay attention to how much stress people are under” (P6, personal communication, February 9, 2017). Another associate observed, “I don't think the firm is interested . . . in making

it less stressful. This is how they want it to be” (P7, personal communication, February 11, 2017).

Perhaps a not-surprising finding for those who work in the legal field, the majority of participants ($n = 13$) denied that the bar associations—at the local, state, and national levels—played a role in reducing their professional stress. Three of the thirteen respondents also qualified that they did not believe it was the responsibility of these bar associations to do so. Conversely, two participants who were active in their local bar association reported that their membership and participation in these professional groups did contribute to stress reduction by providing opportunities for professional advancement (P15, personal communication, February 27, 2017) and giving back (P3, personal communication, February 7, 2017). One participant also highlighted the benefit of these associations for the profession at-large:

They are continually looking at stress issues, substance abuse issues, gender issues, diversity issues, commissioning studies and helping people to have a vocabulary to look at and think about these different issues, which also does help relieve stress. (P3, personal communication, February 7, 2017)

Although the majority of participants did not believe that the bar associations *currently* served a role of decreasing professional stress, it was clear that participants believed these organizations had the infrastructure and potential to do so. With tens of thousands of members at the various bar associations nationwide, the impact of such an initiative could be very profound.

In addition to organizational interventions to stress reduction, individual practitioners reported they counteracted some of the negative effects of workplace pressures by leading a balanced life. One participant clarified that work-life balance cannot be conceptualized as two competing demands, stating, “They are one thing” (P4, personal communication, February 8, 2017). Work is just one of the many components of a balanced life, and while some days will require more time in the office, others will not. Flexibility is key. Another participant described balance as a “tripod” of interests, cautioning practitioners against being “wrapped up just in your

work” and advising them to find at least two other activities that bring them joy (P3, personal communication, February 7, 2017).

Participants used a wide variety of strategies to managing stress and six themes emerged: staying physically active and exercising ($n = 11$); spending time with their spouse and family ($n = 11$); engaging in hobbies ($n = 9$); traveling ($n = 5$); maintaining a mindfulness practice ($n = 5$); and participating in their local communities ($n = 3$). Regardless of the activity, participants emphasized the importance of stepping away from their legal work, if only for a few hours. Several participants clarified that, although these strategies were not directly related to the practice of law, they have helped them become a better attorney by restoring the balance and reducing the stress they felt from their profession (P11, P14, P15). Moreover, by putting their legal work aside temporarily, they were able return to it with a fresh perspective, which allowed them to be more creative in solving issues and meeting client needs (P6, P11).

To combat interpersonal stressors as a result of the social adversity characteristic of the legal field, participants discussed using proactive ($n = 10$) and preventive ($n = 6$) tactics. Participants emphasized the importance of being patient and strategic as to how and when interpersonal issues are addressed, if at all. The most successful attorneys knew how to pick their battles and not be reactive to an interpersonal conflict. One senior partner explained, “Sometimes, [opposing counsel] wants to fight you over things and you have to look at it and ask, ‘is this really important? Do I really want to get myself all worked up over this?’” (P11, personal communication, February 16, 2017).

Several participants expressed that, although the legal profession has a reputation of being adversarial, they have managed to avoid frequent interpersonal conflicts. One senior attorney with over 30 years of experience stated, “Maybe on one hand I can count how many times I’ve really had an [interpersonal] issue” (P1, personal communication, February 5, 2017). Other attorneys who expressed similar sentiments explained that they have structured their practice in a way so as to minimize conflicts. One mid-level attorney explained, “You have to

have an approach to the work that makes it less likely that you will have conflicts with people” (P4, personal communication, February 8, 2017). Even when others are insistent on fighting, participants expressed their unwillingness to engage. One senior partner stated, “[I will] let them just spout off if that's what they're going to do, because at some point, they'll exhaust themselves” (P6, personal communication, February 9, 2017). Illustrating the long-term effectiveness of this strategy, Participant 6 concluded, “I find that even with some of the most abusive, the most negative people, over time, our relationship has mellowed” (personal communication, February 9, 2017).

Research question 2. Research question 2 examined the barriers attorneys encountered when implementing strategies to combat burnout. The three interview questions (IQ) that corresponded to this research question were:

- IQ 6: What challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?
- IQ 7: What organizational challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?
- IQ 8: Were there things that went wrong that you did not anticipate when implementing the strategies? If yes, what?

Interview question 6. Interview question 6 examined the challenges attorneys faced when applying stress-reduction strategies. Four themes emerged: interpersonal challenges ($n = 7$); determination ($n = 5$); time constraints ($n = 4$); and no challenges ($n = 2$); see Figure 7.

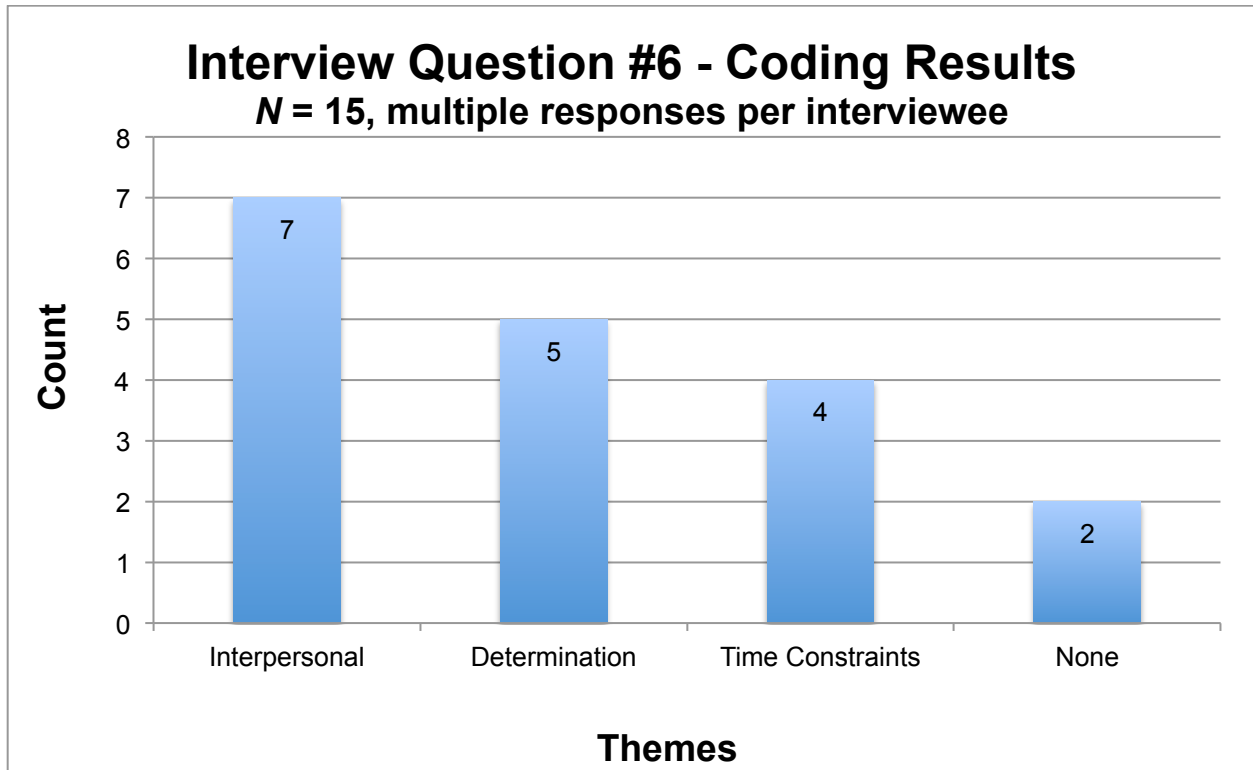


Figure 7: Interview question 6: Challenges in managing stress.

Interpersonal. When applying strategies for managing professional stress, almost half of participants ($n = 7$) reported facing interpersonal challenges. Specifically, attorneys recounted times when they worked with difficult people who simply wanted to engage in conflict. One senior partner explained, “Sometimes, you have people that want to fight just to fight, and when that occurs, there's not really anything that you can do about it” (P11, personal communication, February 16, 2017). The theme of interpersonal challenges also included instances where the attorney was content with his or her stress management strategies, but failed to get the buy-in of friends and family. One attorney clarified that he has structured his life in a way where the boundaries between work and life are more fluid, but “one challenge has been trying to get everyone to understand my worldview when they have a more nine to five type of job” (P4, personal communication, February 8, 2017).

Determination. The second most common theme to emerge was that of determination ($n = 5$). Several attorneys expressed that their barrier to managing stress was one that was internal. One participant explained that some stress-reduction practices were difficult to engage with on a regular basis, stating, “I’m just not disciplined enough like some people” (P5, personal communication, February 8, 2017). Others stated that even in the best of intentions, it is difficult to have the willpower to follow-through on boundaries and to give oneself “permission” to do what needs to be done (P14, personal communication, February 25, 2017). One senior partner summarized, “The challenges are constantly trying to maintain [your] core values in the face of pressure” (P15, personal communication, February 27, 2017).

Time constraints. The third and final challenge identified by participants involved time constraints ($n = 4$). Participants reported that difficulties in managing time were a result of unpredictable schedules, as well as practical constraints in trying to fit everything into a single day. To illustrate this point, one participant stated, “You only have 24 hours in a day” (P13, personal communication, February 24, 2017). Even when attorneys recognize the importance of stress-management practices, finding the time may still pose an issue. One partner illustrated this conflict, “Some combination of time with my wife, or kids, or exercise is the cure [to stress], but there's just no time” (P8, personal communication, February 13, 2017).

None. Two participants ($n = 2$) denied that they experienced any obstacles to implementation stress management techniques. One participant reemphasized that even when work is stressful, practices such as exercising and talking to others are easy to engage in after work (P1, personal conversation, February 5, 2017).

Interview question 6 summary. Interview question 6 explored the challenges attorneys experienced when employing stress-reduction strategies. Although two participants denied experiencing any issues, the majority ($n = 13$) identified at least one impediment. A total of four themes emerged: interpersonal ($n = 7$); insufficient determination or follow-through ($n = 5$); time constraints ($n = 4$); and no challenges ($n = 2$).

Interview question 7. Interview question 7 sought to determine if the organization presented any barriers to managing professional stress. The majority of participants reported that their firm did not pose challenges to mitigating professional stress ($n = 10$). Two additional themes emerged: time constraints ($n = 4$) and interpersonal challenges ($n = 2$); see Figure 8.

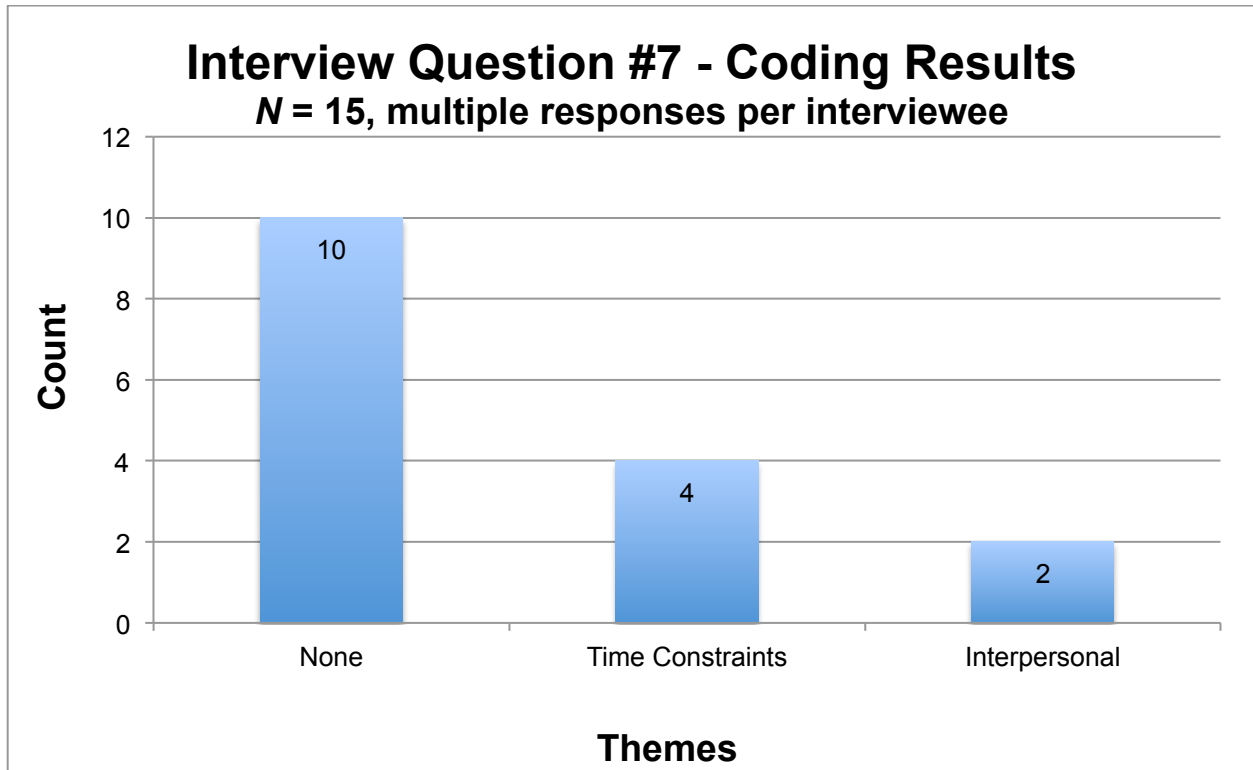


Figure 8. Interview question 7: Organizational challenges in managing stress.

None. The majority of respondents ($n = 10$) denied that their organization presented any barriers to navigating professional stress. One participant explained, “From an institutional basis, we do what we can to address the issues [of stress]. We’ve had yoga classes and stress reduction classes” (P9, personal communication, February 14, 2017). Others also expressed approval of their firm, highlighting their culture of autonomy, flexibility, and individuality. One attorney clarified, “They give me the freedom to do what works for me, so that’s helpful” (P2, personal communication, February 6, 2017).

Time constraints. Several participants ($n = 4$) expressed that their organization posed certain challenges to managing professional stress. Specifically, this challenge was a result of

having limited amount of time with conflicting personal and professional demands. Some attorneys cited the overly bureaucratic processes and administrative procedures as contributing to stress, explaining that these tasks take them away from their work. One senior partner explained, “Whether it’s interviewing people or reviewing new associates or testing new computer equipment, each of those takes an hour or so away from what would be my marketing time or work time or getting home a little earlier time” (P13, personal communication, February 24, 2017).

Interpersonal. Two attorneys cited interpersonal issues within their organization as challenges to managing their stress. While one attorney simply stated that some people are just difficult to work with (P8, personal communication, February 13, 2017), another explained that the lack of support is detrimental. This participant clarified:

I think one challenge is there is not really anybody you can go to, to discuss these issues in confidence. There is no one I can confide in above my level. Even though the firm officially has a ‘your mentor has your back’ policy, if you want to advance or even have good reviews, you can’t really feel comfortable saying, ‘hey, I am really having this issue.’ Complaining about, ‘I’m billing too many hours and this sucks’—there is no one I can voice that to without the concern that they will think I am unwilling to do this work. (P7, personal communication, February 11, 2017)

When there is no one to speak with regarding stress concerns, employees may start to feel like the organization is not concerned about their well-being.

Interview question 7 summary. When asked about organizational obstacles to stress-reduction efforts, the majority of participants ($n = 10$) denied that their firm interfered in their ability to decrease stress in any way. Most of these participants commended their firm’s efforts to reduce workplace pressures. Still, one third of participants reported they faced organizational challenges to managing their stress. Four participants identified time-constraints as a barrier to change, while two highlighted interpersonal challenges.

Interview question 8. Interview question 8 asked participants if they faced any setbacks when implementing stress-management strategies. Five attorneys reported that they did not experience any impediments when using their strategies. Three additional themes emerged: organizational setbacks ($n = 6$); interpersonal challenges ($n = 3$); and personal challenges ($n = 2$); see Figure 9.

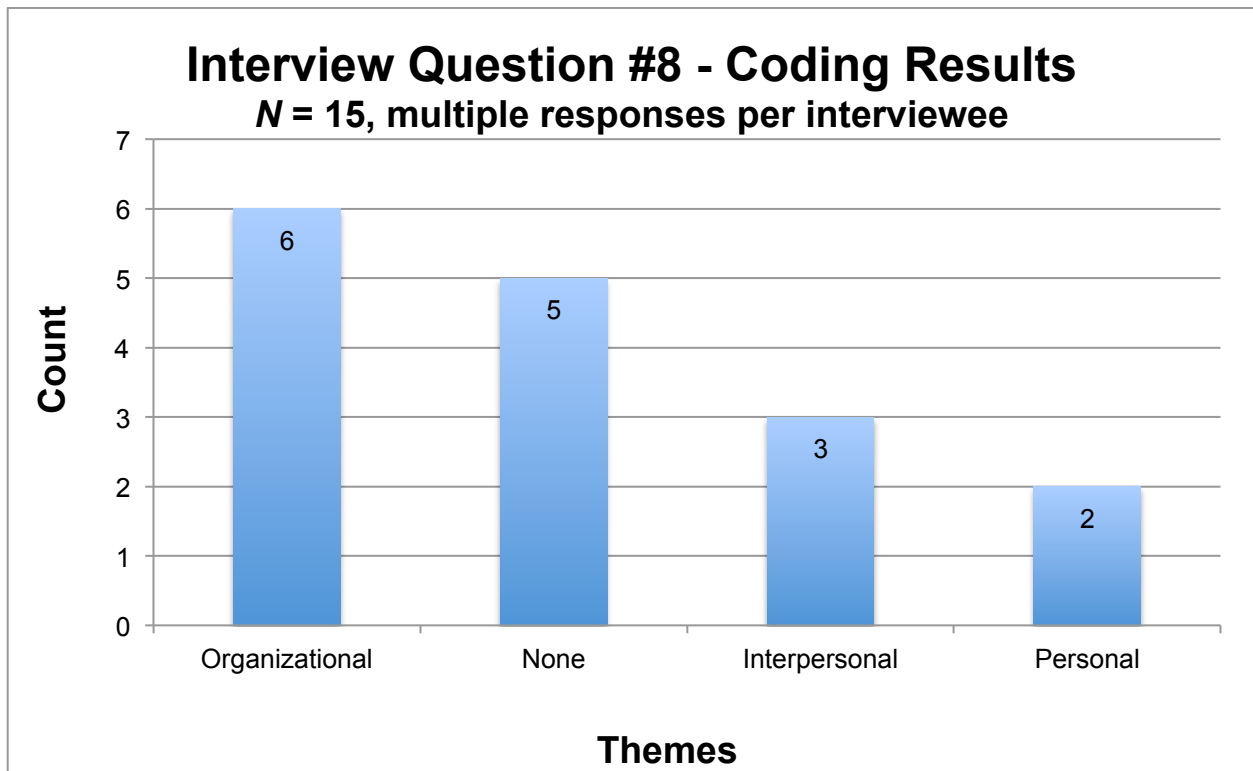


Figure 9. Interview question 8: Setbacks to implementing change.

Nothing went wrong. One third of participants ($n = 5$) denied that anything went wrong when they applied their stress-management strategies. Some attorneys acknowledged that, due to the unpredictable nature of the profession, not everything goes according to plan. However, they clarified that they have come to expect and even anticipate minor hindrances, and often use them as an opportunity to learn and grow. One participant explained that the ability to take setbacks in stride is rooted in perspective, stating, “None of what I do is life threatening, let’s put it that way. I’m not handling death penalty cases and doing it badly” (P15, personal communication, February 27, 2017).

Organizational. When asked if something went wrong that they did not anticipate when implementing stress-reducing strategies, several attorneys ($n = 6$) identified the nature of their setback as organizational. Some simply cited cases that did not go according to plan, which subsequently contributed to additional stress (P2, P12). Others discussed specific situations where organizational intervention strategies to reducing stress backfired. One attorney recalled an instance where attempting to use a mentor who was designated to assist with stressful situations in the workplace actually resulted in a disappointing situation. Participant 7 explained, “I was a little surprised that the person who was assigned to be my mentor wasn't more sympathetic to the situation” (personal communication, February 11, 2017).

Another senior partner discussed their firm's attempt to reduce stress just before the holidays by permitting employees to leave a few hours early. However, this failed intervention resulted in great issues for the firm:

We were surprised that we thought we were taking a step forward in dealing with [stress], and, to a certain degree, it's almost become a step back for us because we actually found that people—at least in our eyes—seemed like they were trying to take advantage of the situation by bartering for more and more time off, and not being as productive in those days leading up to the holidays. We thought that people would be grateful that we were trying to open up some additional time right before the holidays, but that's not the way it's turned out so far. (P11, personal communication, February 16, 2017)

Even the most well-intentioned strategies to stress management can result in unanticipated challenges.

Interpersonal. A few participants experienced unanticipated interpersonal setbacks when implementing stress management strategies ($n = 3$). This theme included misreading another person's intentions, failing to diffuse a stressful interpersonal situation despite of best efforts,

and simply not being on the same page with other individuals. One attorney clarified, “Not everybody is pulling towards the same goal” (P8, personal communication, February 13, 2017).

Personal. Two attorneys cited personal setbacks with using stress reduction strategies. One attorney simply stated, “Trying to manage your stress and not take things personally is more difficult to do than it seems” (P7, personal communication, February 11, 2017). Another senior partner recounted a time when an injury occurred because of an ambitious attempt of dealing with stress by scheduling an overly-strenuous activity (P5, February 8, 2017).

Interview question 8 summary. Interview question 8 asked, “Were there things that went wrong that you did not anticipate when implementing the strategies?” One third of participants ($n = 5$) denied facing any setbacks in their attempts to use stress-reduction strategies. The remaining participants highlighted three sources of obstructions: organizational ($n = 6$); interpersonal ($n = 3$); and personal ($n = 2$).

Research question 2 summary. Even when attorneys have the best intention of utilizing stress-reduction strategies, challenges may arise. While two participants ($n = 2$) denied any barriers to using their strategies, the majority identified the source of these challenges to be one of three things: interpersonal ($n = 7$), including not getting the buy-in of others or not sharing a common goal; lack of self-determination, discipline and follow-through ($n = 5$); and time constraints ($n = 4$), including unpredictable schedules and conflicting demands. Attorneys recognized that having systems in place—such as staying organized and being aware of the deadlines and expectations of others—reduced instances of disruption. Still, many acknowledged that flexibility is key, emphasizing the fact that there are often multiple variables one cannot control, especially as related to other people. One participant stated, “You can’t get everybody to do what you want them to do” (P12, personal communication, February 22, 2017). Another explained, “Sometimes, you have people that want to fight just to fight, and when that occurs, there’s not really anything that you can do about it” (P11, personal communication, February 16, 2017).

The majority of participants ($n = 10$) denied that their organization posed any barriers to change, highlighting their firm's specific initiatives to managing stress. Several participants appreciated their organization's hands-off approach, allowing them to be autonomous and self-directed (P1, P2, P4, P12). One individual specifically highlighted how the firm's focus on improved technology has allowed greater flexibility to work remotely (P4).

Still, some participants saw room for improvement. Several identified time constraints as the biggest challenge ($n = 4$), reporting that their firm's administrative procedures create undue obstacles to managing their professional stress. One participant semi-jokingly compared the experience to working in government:

When you work for the federal or state government, you practically have to fill out a form to use the ladies' room. That's what it's like here. There's so much bureaucracy and red tape. I find it super, super aggravating. We're all really busy, and every hour that you're spending on filling out forms or meeting with committees is hours you're not billing clients. It's very inefficient. (P13, personal communication, February 24, 2017)

This participant advised that more streamlined administrative processes could free up time and reduce stress. Other participants focused on the interpersonal challenges within their organization ($n = 2$). Attorneys reported that some people are just difficult to work with, and this is problematic because sometimes the organization requires that you work together.

When asked if attorneys have experienced setbacks when implementing stress-reduction strategies, the majority recounted at least one experience when something occurred that they did not anticipate. The major theme that emerged was organizational ($n = 6$), where participants illustrated examples where firm-wide initiatives backfired, such as stress reduction classes that no one attended. One senior partner reflected, "Can we mandate that you'll take care of yourself? No" (P9, personal communication, February 14, 2017). Others recalled instances where their mentor—who was assigned to them by the firm—was less than supportive. If poorly executed, strategies intended to reduce stress—such as a mentorship

support program—can actually create additional stress. One senior attorney reflected on an experience with a mentor, stating, “I haven’t spoken with him in four years. He has no interest in speaking with me and I have no interest in speaking to him, and we effectively compete against each other, so it’s one of the most laughable, the most dysfunctional things” (P10, personal communication, February 16, 2017).

Like most people, attorneys faced some obstacles when implementing strategies to manage professional stress. However, regardless of the source of these challenges, most attorneys maintained a positive attitude, put things into perspective, and only allowed the disruption to be a temporary annoyance. Perhaps most importantly, they conceptualized these challenges as learning opportunities, stating, “It’s always trial and error” (P2, personal communication, February 6, 2017), “You learn from your mistakes” (P1, personal communication, February 5, 2017), and “Just go back and try harder next time” (P6, personal communication, February 9, 2017). One attorney summarized, “I don’t let things that I can’t control get me down” (P3, personal communication, February 7, 2017).

Research question 3. Success measures are important in determining whether or not intervention strategies are successful. Such measures provide feedback on the effectiveness of a particular practice and allow individuals the opportunity to course-correct, if necessary. Research question 3 asked attorneys to define their measure of success in managing their stress. Its corresponding interview question (IQ) included:

- IQ 9: How do you determine whether or not an intervention strategy was successful in decreasing professional stress?

Interview question 9. Interview question 9 asked participants to classify their success measures. The most common theme to emerge was one oriented toward results ($n = 14$). Additional responses identified two other orientations: other-oriented ($n = 2$) and experience-oriented ($n = 2$); see Figure 10.

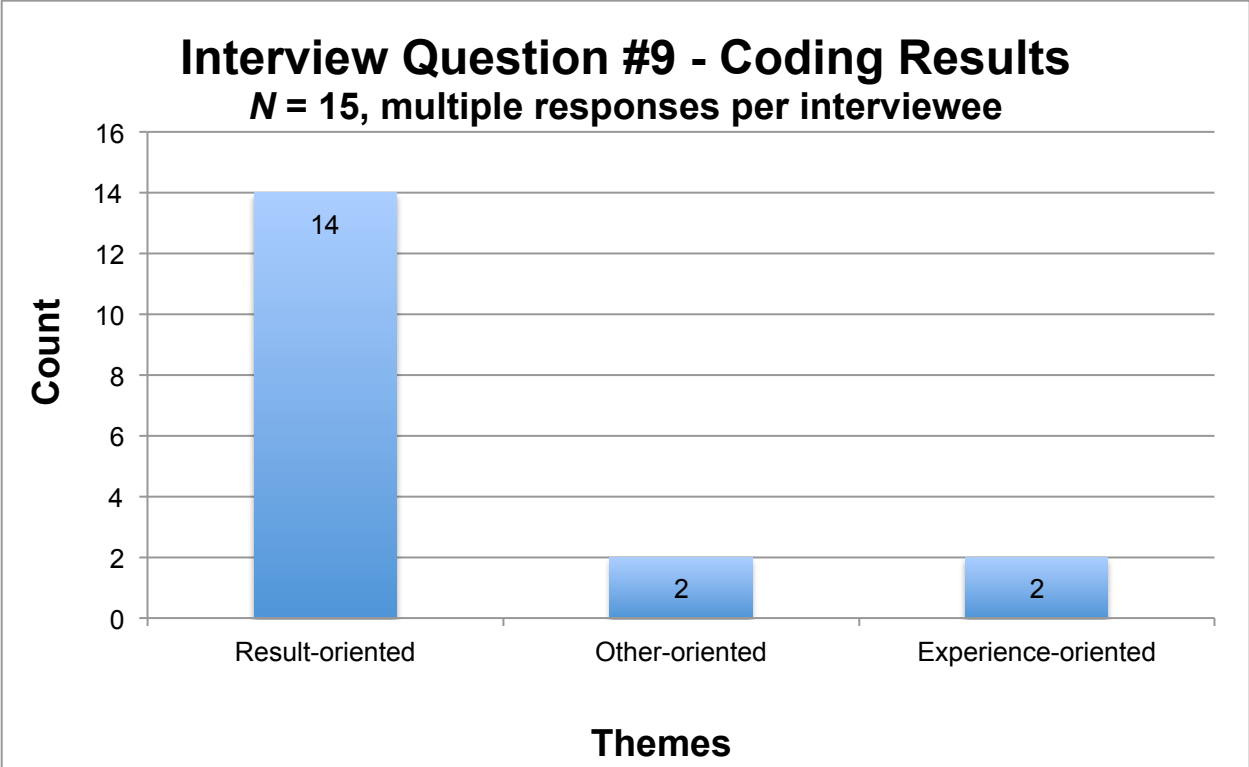


Figure 10. Interview question 9: Success measures.

Result-oriented. The majority of attorneys ($n = 14$) cited the result as their measure of success. If they feel less stressed at the end of the workday or workweek, they consider their intervention strategy to be a success (P1, P2, P3, P5, P6, P7, P8, P9, P10, P13, P14). Others focused on more long-term results. Regardless of the timeline, the used measures were subjective. Participant 11 clarified, “What I try to do is look at it in two perspectives. One, see if anything’s changed within 30 days. And two, particularly look at it within 90 days (personal conversation, February 16, 2017). As one attorney explained, “I just look at what the result was. I don’t have any special criteria. I don’t have any real metrics” (P6, personal conversation, February 9, 2017).

Other-oriented. Two respondents reported that they look to others to assess whether or not their stress-management strategy was successful. They observed the way their significant others and family members reacted to them, and with that information, were able to determine

whether or not their strategy was successful in reducing their professional stress. One senior partner explained:

I can tell [if it was successful] by how my family is reacting [to me]. My little one is particularly intuitive. If I walk in and he goes, 'How was your day?' {articulated with a sad expression} I can tell I didn't deal with the stress as well as I should have. If my little one reacts, I know I'm wearing the stress on my face. (P13, personal communication, February 24, 2017)

Attorneys who looked to others for feedback were able to use a more objective measure of whether or not their strategy was effective.

Experience-oriented. The final theme to emerge was one of orientation toward the experience ($n = 2$). This theme included answers that simply focused on the stress-reducing activity. Attorneys were not necessarily measuring the effectiveness of an intervention strategy based on the result, nor on the feedback they received from others. They simply discussed the importance of being present in the activity and feeling comfortable with whatever strategy they employed. One attorney explained that the success measure was "just things that you enjoy doing that help take you away from the work world and make you feel comfortable" (P12, personal communication, February 22, 2017).

Research question 3 summary. The legal profession is outcome-focused. The priority is to do what is in the best interest of the client and obtain desired results. Perhaps it is, then, expected that when participants were asked how they assessed success measures for mitigating burnout, the overwhelming response was, looking at the results ($n = 14$). Respondents reported they gauged how they felt at the end of the week and assessed if a stressful issue had been resolved to determine if the intervention was successful. Only two participants reported that simply engaging in the stress-reduction activity was a measure of success, while two others stated that they looked to their family members for feedback.

Research question 4. Participant's professional experience ranged from 5 to 43 years in the practice of law. What were some things they learned along the way? Research question 4 sought to identify the advice participants would give to other practitioners in managing their professional stress. It's corresponding interview question (IQ) included:

- IQ 10: Knowing what you know now, what would you do differently as a first-year attorney?

Interview question 10. The final interview question asked participants to reflect on their career and provide practical, actionable advice to incoming lawyers. Six themes emerged: having clear professional expectations ($n = 7$); personal goals and self-awareness ($n = 6$); maintaining balance ($n = 5$); nurturing a community ($n = 3$); don't do it ($n = 3$); and maintaining flexibility ($n = 2$); see Figure 11.

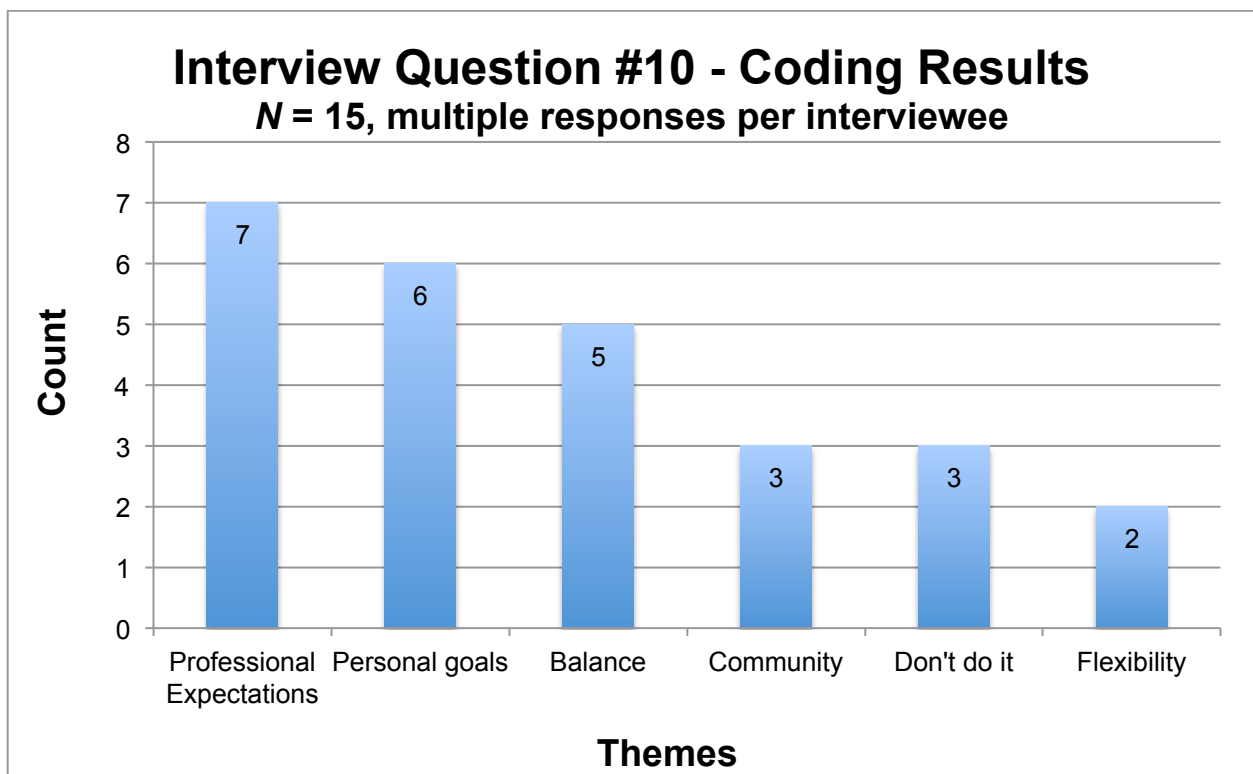


Figure 11. Interview question 10: Advice for new attorneys.

Professional expectations. The most common theme that emerged was to have clear expectations of the profession ($n = 7$). Several attorneys confirmed the fact that junior

associates are expected to work hard and bill a lot of hours. One senior partner explained, “You have to grind, grind, grind. [Senior partners] judge you by quality of work product and hours. That's what you're supposed to do” (P13, personal communication, February 24, 2017). Other participants warned that law school does not actually teach people how to be a lawyer; incoming lawyers should be open to learning and be prepared to make a lot of mistakes. One participant emphasized, “You might think you know a lot from being a clerk or from school, but you don't. You don't know anything. Defer entirely to the people you are working for. Learn as much as you can. Soak up as much as you can” (P4, personal communication, February 8, 2017).

Participants advised incoming attorneys to be prepared for the culture of large law firms. For example, several participants cautioned that young attorneys receive a lot of critique on their work and at times, the criticisms can be harsh. One attorney explained, “Every time someone writes a comment on a brief [you wrote] does not mean they hate you. You need to take it seriously and you need to absorb the feedback, but you don't need to take it like a personal criticism” (P2, personal communication, February 6, 2017).

Personal goals and self-awareness. Coinciding with the previous theme, participants also advised junior attorneys to be aware of their own expectations for their career and to stay closely aligned with their goals and values. The theme of personal goals and self-awareness ($n = 6$) included advice to think about the legal profession in the long-term and to create a career path that works for them. One participant advised, “Figure out who you are and the kind of work you want to do in the long term” (P14, personal communication, February 25, 2017). Another focused on the importance of liking your work, stating, “You have to enjoy the work. You have to really find it interesting. That's how you get through it is to actually enjoy it” (P4, personal communication, February 8, 2017).

Due to the highly demanding and adversarial nature of the legal profession, it can be challenging to stay true to personal values. One senior partner warned:

Don't lose yourself. The legal system can be seductive and you can think that society expects certain things of lawyers that are not necessarily flattering or good. You're an officer of the court, winning is not the goal. Sometimes, the goal is acknowledging and finding a settlement in light of undisputed facts, instead of pretending those facts don't exist. (P9, personal communication, February 14, 2017)

Feeling good about the work is important for long-term success.

Balance. In order to have a successful, lasting career in the law, participants advised new lawyers to focus on balance ($n = 5$). The theme focused on tips for physical health, mental health, having interests outside of the law, and generally maintaining a balanced life. In reflecting on how his priorities have changed throughout his career, one senior partner advised, "Don't stay until 10 o'clock every night. Don't work every single weekend. It's just a job. If what you want is the biggest office, the biggest car and the biggest paycheck, then yes, grind, grind, grind. I have buried a few friends. That is not what is important to me anymore" (P13, personal communication, February 24, 2017).

A sense of community. Another theme that emerged was about community and social supports ($n = 3$). Some attorneys focused on creating a network of peers to battle the inherently adversarial nature of the legal profession. Reflecting on experiences of junior associates, one senior partner explained, "Everybody is frightened. Everybody is nervous. Try to deemphasize competition and work with each other" (P13, personal communication, February 24, 2017).

Other participants highlighted the importance of having a more senior mentor. Those who aligned with a partner early on in their career reaped greater benefits. One partner explained, "You have mentors and you need to use them. They will be an important part of your success. If you ignore that part of your professional development, it's to your disadvantage" (P3, personal communication, February 7, 2017).

Don't do it. A few participants ($n = 3$) advised people against entering the legal profession. These participants reflected on how a career in the law has changed over the years

and believed that there would be fewer opportunities in the future. Some addressed the fact that legal jobs are being outsourced overseas, while others simply suggested that the overly saturated market is creating greater adversity. One senior partner explained, “The opportunity for a high-paying, promising career track is going to get smaller and smaller. There is no guarantee. And I can't tell you how many people get there and are just completely miserable” (P10, personal communication, February 16, 2017).

Flexibility. A long-term legal career is not for everybody. The last theme to emerge was one of flexibility ($n = 2$), of being open to switching careers if the legal field is not a good fit. One senior partner summarized this recommendation:

It's great experience to get one of these jobs and work at it a few years, but don't be afraid to get a few years of experience and then go do something else with it. Once you're in it, I think too many people feel locked in, that their mission in life is to make partner and stay at a firm their entire life. (P10, personal communication, February 16, 2017)

Experience at a prestigious law firm can open many doors and participants discouraged attorneys from feeling like they are stuck in law for the long haul.

Research question 4 summary. Participants were asked to reflect on their years in practice and provide recommendations to other law practitioners. What lessons have they learned that were most helpful in managing stress? The majority of participants ($n = 7$) reported that having realistic expectations of the profession reduced their stress. For instance, one senior attorney explained, “With many large firms, intense criticism is inevitable. But it's not a sign of failure” (P6, personal communication, February 9, 2017). Attorneys who understood this earlier in their career were better able to absorb the feedback and improve the quality of their work product. Those who did not understand these expectations were more likely to take the feedback personally, which created additional stress.

Participants also advised attorneys to be deliberate with their goals ($n = 6$). Several attorneys reflected on their experience of coincidentally falling into their specific area of law, simply by nature of that was the position that was open at the time. One senior partner recounted, “Because of the state of the economy when I graduated . . . the only specialty that the law firms were hiring was bankruptcy. I took one class in law school and was completely confused by it” (P10, personal communication, February 16, 2017). The majority explained that they were happy with the outcome and enjoyed their practice area. Still, some admitted that their practice was not one they might consciously choose today, if they were given that option. One participant acknowledged that litigation was not suited for every personality. This attorney stated, “If I thought about it and known myself better and understood the practice of law better, I might have chosen a transitional practice as opposed to a litigation practice” (P14, personal communication, February 25, 2017). To help with career planning, participants encouraged young attorneys to align themselves with other lawyers and create a sense of community ($n = 3$). Specifically aligning with more senior lawyers can help clarify expectations and provide a better understanding of the practice of law.

Additionally, participants discussed the importance of having a balance in one’s life ($n = 5$) by engaging in activities outside of work. Though they acknowledged the work was demanding, they emphasized that it was still only a job and just one of the many components of a healthy lifestyle. Some participants reflected on their colleagues who failed to maintain a balanced life and “who wound up leaving the profession within the first 5 years or so because it was just too stressful for them” (P11, personal communication February 24, 2017). More than just contributing to stress, a lack of balance also impacts an individual’s ability to be an effective attorney. One senior with almost 40 years of experience explained:

You certainly will find within law, a group of people that [law] is not their profession, it is their life. And they don't do very much outside. The people they know are lawyers. They spend all their time at the office. And that, unfortunately, is not very good for them

personally, and quite frankly, I think it can affect the job that they do. I think it can hurt their judgment. And that's really the most valuable thing that a lawyer offers their client.
(P6, personal communication, February 9, 2017)

Participants recommended that law practitioners be clear on each of these points as soon as possible in order to ensure a long-standing career in the law.

Summary of Chapter 4

This chapter outlined the findings of this study that examined the best practices employed by seasoned legal professionals to manage professional burnout. Participants in this study included attorneys at various stages in their career, spanning from 5 to 43 years of experience. During a one-on-one interview, participants shared intimate details of their professional experience, identified the stressors in their practice, and advised as to the best management practices. Analysis of the data demonstrated that participants engaged in a wide variety of stress-management practices to mitigate work stress. Chapter 5 will discuss the implications and conclusions, as well as recommendations for future research.

Chapter 5: Conclusions and Recommendations

Introduction

Attorneys serve an important function in society and the fact that so many struggle with psychological and behavioral issues is a grave concern. Attorneys in the United States present with higher-than-average rates of depression, substance abuse, and suicidal ideation as compared to both the general population and other high-stress professionals (Beck et al., 1995; Benjamin et al., Eaton et al., 1990; Han et al., 2016; Krill et al., 2016). Moreover, studies have demonstrated that although many of these issues arise in law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007), law students do not differ psychologically from other graduate students prior to commencing law school (Benjamin et al., 1986). This suggests that there is something inherent to the practice of law that is contributing to the high rates of distress among professionals. Although these facts are widely known and accepted, there is no consensus amongst legal professionals or the research community as to the root cause(s) of these psychological and behavioral issues.

Burnout—a syndrome characterized by physical and emotional exhaustion, depersonalization, and inefficacy—is one potential explanation (Maslach et al., 2001; Maslach et al., 2009). Burnout results from exposure to chronic stress in the workplace and is common in demanding and high-pressure occupations. This study sought to examine the characteristics of the legal profession that contributed to enduring professional stress, as well as to identify the best practices employed by exemplary attorneys to mitigate workplace stressors and decrease instances of burnout.

Chapter 5 will provide a brief overview of the study, as well as revisit the results and highlight the key findings. These findings will inform the implications for the legal profession, including law firms, bar associations, law schools, and the individual practitioner. Next, recommendations for future research will be addressed. The chapter will conclude with a

discussion of the researcher's observations, as well as some final reflections about the study and the research process.

Summary of the Study

Although long hours, demanding clients, strenuous work and interpersonal adversity are characteristic of the legal profession, not all attorneys experience burnout. Attorneys who are successful in their field have learned to navigate the all-too-common stressors of the profession. The purpose of this study was to identify the best practices utilized by attorneys to mitigate professional burnout.

The literature review in Chapter 2 summarized the recent and landmark studies of professional burnout, highlighting common psychological and behavioral symptoms of burnout, as well as the environmental and individual characteristics that increased risk. These studies provided a context for the subsequent discussion of the legal climate in the United States. The literature review then examined instances of burnout in the legal profession, emphasizing the experience of attorneys who work in BigLaw. This literature review informed the four research questions for the study:

- RQ 1: What strategies and best practices do attorneys deploy to mitigate professional burnout?
- RQ 2: What challenges do attorneys face most often in deploying measures to mitigate professional burnout?
- RQ 3: How do attorneys assess success measures for mitigating professional burnout?
- RQ 4: What recommendations would attorneys give to other law practitioners for mitigating professional burnout?

A total of ten open-ended interview questions were derived from the above research questions. After obtaining a master list from the State Bar of California and applying the criteria for

inclusion, exclusion, and maximum variation as discussed in Chapters 3 and 4, a total of 15 participants were interviewed for this study.

All participants were attorneys in good standing with the State Bar of California, currently practicing in a large law firm setting in Los Angeles and Orange counties. Participant experience ranged from 5 to 43 years of practice, and each participant represented a different law firm. Each participant was asked the series of ten interview questions during a face-to-face meeting. The interview was audio recorded, and the recordings were subsequently transcribed, coded, and analyzed.

Study Results

The transcribed audio recordings resulted in 98 pages of data. The data for each interview question was reviewed and coded, and the codes were subsequently grouped into themes. The themes that emerged helped answer the research questions that were posed for this study.

Research question 1 results. Research question 1 explored which strategies and best practices attorneys deployed to mitigate professional burnout. Because burnout is a result of chronic stress, the interview questions focused on the attorney's daily experience of stress and the most commonly used practices to alleviate symptoms. To better understand the context of professional stress, interview question (IQ) 1 asked attorneys to identify the sources of their stress. Consistent with research, participants cited their demanding workload, unrealistic client expectations, business management responsibilities, office politics, high billable hour requirements, and the inherently adversarial nature of their profession as key stressors (Bourg Carter, 2006; Demerouti et al., 2001; Halbesleben & Buckley, 2004; Leignel et al., 2014; Maslach et al., 2001; Schaufeli & Buunk, 2003). Each participant identified multiple sources of professional stress, supporting the premise that it was actually an interplay of various attributes of the legal profession that caused it to be particularly taxing (Bourg Carter, 2006; Organ, 2011; Rhode, 2000; Seligman et al., 2005).

In their discussion of solutions to excessive stress, attorneys focused on the importance of having a collegial work environment, supportive and trustworthy others, communication strategies to preempt and combat interpersonal conflicts, and personal interests outside of law. These results were consistent with research on burnout that has repeatedly demonstrated that quality interpersonal relationships can safeguard professionals against developing burnout (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003). Because burnout has been proven to be contagious (Bakker, 2009; Bakker, Demerouti et al., 2005; Bakker, Le et al., 2005; Bakker & Schaufeli, 2000; Westman & Etzion, 1999), attorneys who were able to successfully resolve interpersonal conflicts created a better work environment for themselves and for their colleagues. As individuals collectively create the culture of the organization, each attorney, support team member, and senior manager plays an equally important role in creating and maintaining a healthy work environment.

Research question 2 results. Undoubtedly, the highly demanding legal profession presented challenges to managing work stress. As consistent with the first research question, interpersonal challenges and time constraints were barriers to maintaining a balanced life and increased the level of stress experienced by attorneys (Bourg Carter, 2006; Maslach et al., 2001). The organization played an important role in backing an attorney's efforts for managing work pressures. Participants reported that organizations that provided them with flexibility and autonomy helped reduce stress, consistent with research on burnout that has illustrated the importance of creating an environment where employees have more control over their jobs (Rhode, 2000; Seligman et al., 2005).

Still, many attorneys predominantly cited personal factors as challenges they faced most often in mitigating professional burnout. Ultimately, they stated it was up to the individual attorney to overcome challenges in managing stress. Attorneys reported that it was their responsibility to maintain their barriers and stay committed to their stress-management practices regardless of the environment in which they worked. This sentiment was also consistent with

research on burnout, which has demonstrated that although environmental influences play the largest causal role in burnout, the literature on managing burnout has disproportionately focused on individual intervention strategies (Halbesleben & Buckley, 2004; Maslach et al., 2001).

Research question 3 results. Attorneys are legally and ethically required to do what is in the best interest of the client to obtain desired results. Because the legal profession is one that is outcome-focused, perhaps it is no surprise that the majority of participants measured the success of stress-reduction strategies in this manner. The majority of participants reported using a subjective measure, simply stating that if they felt better, it meant that the intervention strategy worked. However, these results may suggest that attorneys did not have expertise on burnout assessment tools, such as the Maslach Burnout Inventory (MBI), to objectively measure long-term results (Maslach & Jackson, 1981).

Research question 4 results. With an average of over 25 years of experience, and having practiced at some of the top firms around the country, participants in this study provided a breadth of advice for incoming attorneys. Overall, participants were pleased with their occupation and acknowledged that a career in the law had the potential to be a rewarding, fulfilling, and engaging profession. This was an important insight as research has demonstrated that engagement is an antidote to burnout (González-Romá et al., 2006; Fisher, 2010; Maslach et al., 2009; Mone et al., 2011; Schaufeli & Bakker, 2004).

However, they also warned that it was a demanding profession, and incoming attorneys should be prepared for the challenges ahead. Participants stressed the importance of having accurate and realistic expectations of the day-to-day experiences of being a lawyer. When expectations were consistent with reality, employees were less likely to feel disappointed. Because workplace disappointment is highly correlated with employee burnout, decreasing feelings of disappointment could decrease chances of burnout in attorneys (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003).

Finally, participants emphasized the importance of maintaining consistent self-care practices throughout their legal career. Many highlighted their focus on self-awareness and staying aligned with personal goals and values, as well as nurturing interpersonal relationships with significant others. The ability to manage one's own emotional experiences, as well as nurture the experiences of others, are consistent with individuals who have a higher emotional intelligence (Goleman, 1995, 1998). Recent research on burnout proved that high emotional intelligence was inversely correlated with developing burnout symptoms (Durán et al., 2004; Gutierrez & Mullen, 2016; Vinje & Mittelmark, 2007; Weng et al., 2011). Attorneys who want to have a successful, rewarding, long-term career in the law would be best advised to develop self-awareness and cultivate relationships with other people.

Key Findings

When coupled with the literature review, the results of this study supported four key conclusions. First, the professional stressors identified by participants were consistent with those that put individuals at highest risk of burnout. Second, despite the demanding nature of the legal profession, the organizations played a significant role in reducing professional stress. Third, positive interpersonal relationships served to safeguard individuals from workplace pressures. Finally, the ability to properly label and regulate one's emotional experiences contributed to success in the workplace.

Work environment. Consistent with the research on burnout, the workplace stressors associated with the legal profession put individuals at highest risk of burnout. Attorneys reported they worked in demanding environments with low error-tolerance, where they often had to manage unrealistic client expectations, office politics, and difficult opposing counsel (Bourg Carter, 2006; Demerouti et al., 2001; Halbesleben & Buckley, 2004; Leignel et al., 2014; Maslach et al., 2001; Schaufeli & Buunk, 2003). Moreover, many participants acknowledged that being a lawyer was a thankless profession. Because researchers have demonstrated that appropriate recognition and rewards were a significant component of a healthy work

environment and a protective factor against burnout (Demerouti et al., 2001; Maslach & Leiter, 2008), feeling underappreciated can significantly increase risk of developing burnout (Leiter & Maslach, 2009).

Organizational leadership. Working in BigLaw is fraught with demanding clients, conflicting deadlines, interpersonal adversity and long hours. These workplace conditions—what many participants referred to as “the nature of the beast”—created a high-pressure work environment. Because research has demonstrated that the organizational environment is the single greatest contributor to employee burnout, more so than any personal factor (Halbesleben & Buckley, 2004; Maslach et al., 2001), the law firm leadership played a significant role in creating a healthy work culture.

This finding suggested that each organization had the power to offset the negative effects of professional stress by creating an environment where its people could thrive. Participants reported their organization’s friendly and collegial culture, as well as the firm’s supportive senior leadership, played a significant role in decreasing their professional stress. This was consistent with research in burnout that showed that having a sense of community and connectedness in the workplace could decrease instances of professional burnout (DeFreese & Smith, 2013; Demerouti et al., 2001), while social adversity significantly increased risk (Bourg Carter, 2006).

However, when organizations introduced ineffective stress-reduction strategies, these errors proved to be detrimental to employee well-being and morale. Participants recalled instances when mentors who were intended to support junior attorneys were less-than sympathetic or when various other interventions actually contributed to increased stress. Because attorneys already have demanding schedules, organizational initiatives that allowed for flexibility and gave a sense of control back to the attorneys proved to be most effective (Seligman et al., 2005).

Interpersonal relationships. The legal profession is infamous for its social adversity. The majority of participants cited interpersonal conflicts with colleagues, supervisors, clients, and opposing counsel as sources of stress at various points in their career. Nevertheless, participants also credited supportive others—including those in their personal and professional lives—as playing a key role in helping them manage their stress. This finding was backed by research, which has shown that quality interpersonal relationships can safeguard individuals against burnout (Halbesleben & Buckley, 2004; Schaufeli & Buunk, 2003).

Participants reported their significant others and family members were great sounding boards. They shared examples of how talking to a loved one about pressure at work helped them alleviate or resolve the issue. Participants also discussed the importance of feeling supported at work and highlighted three meaningful workplace relationships: peers, who can directly relate to similar challenges and validate emotional experiences; senior lawyers, who can clarify work expectations, support career progression, and advocate for them in times of conflict with other senior staff; and junior lawyers, whom the individual can support and mentor and get the emotional benefit of helping someone else. Consistent with research that has demonstrated that individuals who are lonely are more prone to developing burnout (Lin & Huang, 2012), participants reported their significant interpersonal relationships protected them from the day-to-day stressors in the workplace.

Emotional intelligence. The ability to recognize and regulate one's own emotional experiences, as well identify the emotional experience of another person, is a sign of high emotional intelligence (Goleman, 1995, 1998). Research has demonstrated that those who rate high on emotional intelligence (EQ) are better able to navigate interpersonal stressors (Durán et al., 2004; Gutierrez & Mullen, 2016; Vinje & Mittelmark, 2007; Weng et al., 2011). Because engaging in conflict can be taxing, the ability to diffuse or to disengage from a potentially harmful interpersonal experience was an important skill for attorneys. Several participants highlighted examples where, even when another person was intent on fighting, they refused to

react or worsen the issue. Participants acknowledged that although they could neither predict nor control the behavior of others, they could always choose how to respond.

Implications of the Study

Supreme Court Justice Joseph Story once famously said, “The law is a jealous mistress and requires a long and constant courtship.” This still rings true today. The legal profession is notoriously challenging. Competing demands, long hours, unrealistic client expectations, and social adversity are characteristic of a career in the law and put attorneys at high risk of developing burnout. Still, not every attorney experiences burnout symptoms. Those who learn to navigate the challenges experience long-term professional success in a career that has the potential to be incredibly rewarding. The findings of this study have important implications for law firms, bar associations, law schools, and practitioners.

Law firms. Organizations and their leaders play a significant role in the day-to-day experience of employees. Even in the most stressful and demanding professions, organizations can create environments that engage their employees and reduce instances of burnout. Burnout can be costly to organizations as it results in high turnover rates (Du Plooy & Roodt, 2010) and decreased quality of work (Prins et al., 2009). When considered together with the literature review, the findings in this study have important implications for law firms:

- Creating a forum to discuss burnout and the psychological and behavioral issues is a worthwhile effort. These issues are prevalent in the legal profession and office informational sessions can help attorneys identify early warning signs in themselves or their colleagues. As one senior partner summarized, “It’s a neglected area and the more light that’s shed on it, it’s a good thing for everybody” (P10, personal communication, February 16, 2017).
- Certain characteristics of the profession simply cannot be changed or may be incredibly difficult to change. For instance, the job is inherently demanding and challenging because of the nature of the work. Although demands cannot be

decreased, protective factors can be increased. Providing attorneys with additional resources, flexibility to control certain aspects of their job, and encouraging a collegial and collaborative environment can counterbalance the effects of stress.

- The best attorneys do not necessarily make the best supervisors. Providing specialized training for attorneys in supervisory roles can help them become more effective team leaders.

Bar associations. Local, state, and national bar associations have a wide and diverse audience of attorneys and other legal professionals. In addition to overseeing licensing, discipline, and complaints, bar associations are one of the primary sources of information and continuing education for attorneys. This study has important implications for bar associations, who can lead the effort for positive change in the legal field:

- The current State Bar of California Minimum Continuing Legal Education (MCLE) standards only require one hour of focus on competence issues every 36 months, and this hour can be completed as a self-study. Increasing this minimum requirement and revising it to participatory credit can increase likelihood of participation. Given the prevalence of these issues in the legal profession, the additional time spent can help attorneys identify early warning signs in themselves and their colleagues, as well as understand proper intervention strategies and resources.
- Although participants were aware of the Lawyer Assistance Program (LAP) at the State Bar of California, many admitted that if they were to need such services, they might be hesitant to contact the LAP. They cited confidentiality concerns, including potential consequences for their career. The State Bar should consider including resources and providers approved by, but not in any way affiliated to, the Bar.
- Local bar associations should provide more programs on topics such as managing professional stress, burnout, substance abuse, and mental health. Focusing on these

topics can encourage open and honest dialogue about the challenges in the legal profession.

Law schools. Several studies have demonstrated that many of the psychological and behavioral issues experienced by attorneys often arise in law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007). This implies that law schools are on the frontlines, uniquely positioned to be the first line of defense. Coupled with the literature review, the findings in this study have the following implications for law schools:

- Providing students with realistic expectations of the profession and exposing them to the different practice areas can reduce undue stress. Discussions about the pros and cons of various practices (e.g., public sector versus private sector, big law firm versus small law firm) can help students make a more informed decision about their career in the law.
- Providing students with practical skills they will need in their first year as an attorney will help them hit the ground running. Many participants reported they did not learn even the most basic skills in law school, such as how to file documents with the court, which created additional stress to an already steep learning curve.
- Creating a dialogue around burnout and the psychological and behavioral issues that are prevalent in the legal profession can help students identify early warning signs in themselves or their peers. Discussing the topic openly can also help fight the stigma around these issues, so students are not ashamed to get help.

Sole practitioners. With an average of over 25 years of practice, participants in this study discussed a breadth of experiences in the legal field. Some attended a top-tier law school and have been employed at the same firm their entire career, where they are currently a partner. Others took a less traditional path with the same results. Participants have switched firms, moved across the country, raised children, written books, taught classes, traveled the

world and even opened their own practice. There is not one right way to be a lawyer. This study has important implications for practitioners are various stages in their career:

- Familiarize yourself with the different practice areas of law and align your career with your strengths, values, and personality.
- Make your physical and mental health a priority early on in your career. The job will always be there. Your healthy may not.
- Even in a negative environment or in the midst of a conflict, stay true to your core values. Though you may not be able to control the situation or the behaviors of the other person, you can always control your reaction.
- Some work environments are incredibly toxic, no matter what you do. Fortunately, there are a lot of top-tier law firms that have a supportive working environment and value their employees. Find a law firm that is aligned with your personal and professional values.
- As a senior practitioner, you can influence the culture of their firm by modeling and incentivizing desired behaviors.
- Nurture interpersonal relationships inside and outside of work. Reach out to these people when you need additional support, and be there to reciprocate when they need you.
- When you are in a position to do so, give back to your profession and your community. Mentor junior lawyers, participate on professional boards or volunteer in other ways.

Recommendations for Future Research

The purpose of this study was to identify the best practices employed by exemplary attorneys to mitigate professional burnout. Because there was limited research available about burnout specifically pertaining to this population, this study was intentionally broad in nature.

Recommendations for future research are outlined below:

- Law represents a wide range of practice specialties. This study focused on attorneys practicing in large law firms, but did not identify a specific population. In order to better understand the characteristics of the legal profession that contribute to burnout, as well as identify preventative strategies and solutions, future studies should narrow their focus. Future researchers can concentrate on specific populations. Studies can compare and contrast experiences in various practice areas of law and diverse attorney demographics. Populations may include: the public sector; female attorneys; minority attorneys; sole practitioners; attorneys practicing outside of the United States; and those in specific practice areas, such as entertainment law, criminal law, intellectual property, family law, etc. Levit and Linder (2010) synthesized the literature on happiness among attorneys and examined a variety of variables including gender, age, firm size, and law practice areas. However, little research currently exists that specifically examines burnout in each of these populations and contexts.
- This study interviewed attorneys who had a minimum of five years of experience in the practice of law and were currently practicing in a large law firm setting. Future research may focus on junior attorneys with less than 5 years of experience to better understand their sources of stress and coping strategies.
- This study excluded former attorneys who were no longer practicing law. Some of these individuals may have transitioned out of the profession as a result of burnout. It would be worthwhile to interview former attorneys who left the career within five years to identify their experience of professional stressors, and compare and contrast those to stressors identified by currently practicing attorneys. Because it is difficult to track a population of former attorneys, this group is not currently being studied.

- This study excluded attorneys who were not in good standing with the State Bar of California. Future researchers may choose to focus on this population and explore whether burnout contributed to voluntary or involuntary forfeiture of an active membership with the State Bar. Perhaps due to the potential ethical or legal implications of studying disbarred attorneys, no research currently exists that has examined burnout with this population.
- This qualitative study only examined the frequency of responses. Future studies should incorporate a quantitative or mixed methods approach to better understand the intensity of various experiences. For example, when asked about the sources of their stress, the majority of participants ($n = 13$) identified a demanding workload as one of the main issues, whereas only six participants identified adversity as a source of stress. Although stress caused by a demanding workload may be most prevalent, it may not necessarily be the source of the greatest stress. Perhaps attorneys who struggle with both a demanding workload and adversity actually find the adversity to be more emotionally taxing. A quantitative measure would allow participants to rate the intensity of the stress experienced and can clarify any ambiguities.
- This qualitative study only examined one cohort of attorneys in a single instance in time. A longitudinal study could provide additional insights on how stressors transform throughout an attorney's career and how potential coping mechanisms may change. A 2009 study (Monahan & Swanson) interviewed a cohort of attorneys 20 years after they were initially studied while in law school. However, no other longitudinal studies have examined the well-being of attorneys.
- Because several studies have found that psychological and behavioral issues may initially present in law school (Benjamin et al., 1986; Dammeyer & Nunez, 1999; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Sheldon & Krieger, 2007), it would be worthwhile to follow a cohort of law students to better understand the

implications of law school stress on professional stress and career results. This study could examine if students who experienced high stress in law school were able to attain longevity, success, and personal fulfillment in their career. Although no current study of this type exists, a Stanford Law Professor created a program to help law students manage stress and reported that his students had benefited from the wellness program (Fenner, 2015).

- Finally, future studies can also examine other legal professionals including legal assistants, administrative or support staff, paralegals and judges.

Researcher's Observations

Participants in this study represented a diverse group of attorneys in BigLaw. Even their answers to the standard icebreaker question, “Tell me about your career as a lawyer,” spanned a broad range of experiences and career paths. No two attorneys were the same. Still, they each shared a passion for their work and, even when required to discuss the challenging or negative aspects of their profession, many qualified their statements with an overall positive outlook. The tendency toward optimism was especially evident in senior attorneys—those who had practiced for the longest time appeared to be most content with their career. This observation poses the “chicken or the egg” dilemma: were these attorneys more optimistic because they had achieved longevity and success in their career, or did they achieve longevity and success because they are naturally optimistic?

Although attorneys at every level have demanding schedules, the participants took their time with the interview and were thoughtful and deliberate with their responses. Many expressed interest in the research topic and, at the conclusion of the interview, asked the researcher to share recent findings. Many participants were grateful to the researcher for focusing on this topic, which they deemed to be an important one for their field. It was clear that they had a commitment to serving and improving their profession and were aware of the challenges experienced by their colleagues.

Final Thoughts

Insight is, simultaneously, the most and least significant factor for change. Without it, change cannot even begin. One cannot possibly know what to do next or how to reach a solution if the problem has not been clearly defined. Without insight, we are powerless to make change. However, insight by itself is also insufficient. If not paired with action, insight alone is, perhaps, even worse than no insight at all—for what good is it to be painfully aware of an issue without a clear plan to resolve it? Therefore, insight must always be paired with action.

This study brought increased awareness to an important topic—the fact that United States attorneys suffer from increasingly high rates of psychological and behavioral issues due to the demands of their profession. Participants identified workplace stressors consistent with those types of environments that significantly increase chances of burnout. Participants also shared the best practices they employed for managing the challenges of the legal field. This information provides insight into the issues but will not resolve the problem until it is paired with action.

These findings provide practical implications for the profession at-large, including for law firms, bar associations, law schools, and sole practitioners. Each entity must both take the responsibility to implement change within itself, as well as hold the other accountable for doing the same. Individual practitioners at all levels and organizations can lead these efforts to demand change within their field. With high rates of substance abuse, depression, and suicidal ideation, attorneys must act now.

REFERENCES

- Achimalbe, S. (2016, June 22). Back in the race: Will the \$180k biglaw starting salaries attract a new group of law school lemmings? *Above the Law*. Retrieved from <http://abovethelaw.com/2016/06/back-in-the-race-will-the-180k-biglaw-starting-salaries-attract-a-new-group-of-law-school-lemmings/?rf=1>
- Achor, S. (2010). *The happiness advantage: The seven principles that fuel success and performance at work*. New York, NY: Random House, Inc.
- Adams, S. (2014, June 20). Most Americans are unhappy at work. *Forbes*. Retrieved from <http://www.forbes.com/sites/susanadams/2014/06/20/most-americans-are-unhappy-at-work/#5cf12e05862a>
- Allan, R. B. (1998). Alcoholism, drug abuse, and lawyers: Are we ready to address the denial? *Creighton Law Review*, 31, 265-278. Retrieved from http://dspace.creighton.edu:8080/xmlui/bitstream/handle/10504/40223/16_31CreightonLRev265%281997-1998%29.pdf?sequence=1
- American Bar Association. (2016). ABA national lawyer population survey: Lawyer population by state. Retrieved from http://www.americanbar.org/content/dam/aba/administrative/market_research/national-lawyer-population-by-state-2016.authcheckdam.pdf
- American Bar Association, Section of Legal Education and Admissions to the Bar. (2015). Statistics. Retrieved from http://www.americanbar.org/groups/legal_education/resources/statistics.html
- American Psychiatric Association. (2013). *Diagnostic and statistical manual of mental disorders*. (5th ed.). Washington, DC: American Psychiatric Publishing.
- Association of American Medical Colleges. (2015, October 22). Medical school applicants, enrollees reach new highs. Retrieved from <https://www.aamc.org/newsroom/newsreleases/446400/applicant-and-enrollment-data.html>

- Auerbach, C. F., & Silverstein, L. B. (2003). *Qualitative data: An introduction to coding and analysis*. New York, NY: New York University Press.
- Bakker, A. B. (2009). The crossover of burnout and its relation to partner health. *Stress and Health, 25*(4), 343-353. doi:10.1002/smi.1278
- Bakker, A. B., Demerouti, E., & Schaufeli, W. B. (2005). The crossover of burnout and work engagement among working couples. *Human Relations, 58*(5), 661-689.
doi:10.1177/0018726705055967
- Bakker, A. B., Le, B. P. M., & Schaufeli, W. B. (2005). Burnout contagion among intensive care nurses. *Journal of Advanced Nursing, 51*(3), 276-287. doi:10.1111/j.1365-2648.2005.03494.x
- Bakker, A. B., & Schaufeli, W. B. (2000). Burnout contagion processes among teachers. *Journal of Applied Social Psychology, 30*(11), 2289-2308. doi:10.1111/j.1559-1816.2000.tb02437.x
- Bakker, A. B., Schaufeli, W. B., Demerouti, E., Janssen, P. M. P., Van der Hulst, R., & Brouwer, J. (2000). Using equity theory to examine the difference between burnout and depression. *Anxiety, Stress and Coping, 13*(3), 247-268. doi:10.1080/10615800008549265
- Beck, C. J. A., Sales, B. D., & Benjamin, G. A. H. (1995). Lawyer distress: Alcohol-related problems and other psychological concerns among a sample of practicing lawyers. *Journal of Law and Health, 10*(1), 1-60. Retrieved from <http://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1248&context=jlh>
- Bellieni, C. V., Righetti, P., Ciampa, R., Iacoponi, F., Coviello, C., & Buonocore, G. (2012). Assessing burnout among neonatologists. *Journal of Maternal-Fetal and Neonatal Medicine, 25*(10), 2130-2134. doi:10.3109/14767058.2012.666590

- Benjamin, G. A. H., Darling, E. J., & Sales, B. (1990). The prevalence of depression, alcohol abuse, and cocaine abuse among United States lawyers. *International Journal of Law and Psychiatry*, 13(3) 233-246. doi:10.1016/0160-2527(90)90019-Y
- Benjamin, G. A. H., Kaszniak, A., Sales, B., & Shanfield, S. B. (1986). The role of legal education in producing psychological distress among law students and lawyers. *American Bar Foundation Research Journal*, 11, 225-252. doi:10.1086/492145
- Birks, M., Chapman, Y., & Francis, K. (2008). Memoing in qualitative research: Probing data and processes. *Journal of Research in Nursing*, 13(1), 68-75. doi:10.1177 /1744987107081254
- Biswas-Diener, R., & Diener, E. (2006). The subjective well-being of the homeless, and lessons for happiness. *Social Indicators Research*, 76(2), 185-205. doi:10.1007/s11205-005-8671-9
- Boudreau, R., & Nakashima, J. (2002). *A bibliography of burnout citations, 1990-2002*. Winnipeg: ASAC.
- Bourg Carter, S. (2006). When the enemy lies within: Risk for professional burnout among family lawyers. *American Journal of Family Law*, 20(3), 160-167. Retrieved from <http://www.aspenpublishers.com>
- Boyatzis, R. E., Rochford, K., & Jack, A. I. (2014). Antagonistic neural networks underlying differentiated leadership roles. *Frontiers in Human Neuroscience*, 8, 114-133. doi:10.3389/fnhum.2014.00114
- Brooke, D. (1997). Impairment in the medical and legal professions. *Journal of Psychosomatic Research*, 43(1), 27-34. doi:10.1016/S0022-3999(97)00025-1
- Butin, D. W. (2010). *The education dissertation: A guide for practitioner scholars*. Thousand Oaks: Corwin.

- Camfield, L., Choudhury, K., & Devine, J. (2009). Well-being, happiness and why relationships matter: Evidence from Bangladesh. *Journal of Happiness Studies: an Interdisciplinary Forum on Subjective Well-Being*, 10(1), 71-91. doi:10.1007/s10902-007-9062-5
- Centers for Disease Control and Prevention. (2015). *Suicide: Facts at a glance*. Retrieved from <https://www.cdc.gov/violenceprevention/pdf/suicide-datasheet-a.pdf>
- Centers for Disease Control and Prevention. (2016, August 15). Definitions: Self-directed violence. Retrieved from <http://www.cdc.gov/violenceprevention/suicide/definitions.html>
- Chambers, D. L. (2014). Overstating the satisfaction of lawyers. *Law & Social Inquiry*, 39(2), 313-333. doi:10.1111/lis.12041
- Ciobanu, A., & Terrell, S. M. (2015, March/April). Out of the darkness: Overcoming depression among lawyers. *GPSolo, A Publication of the American Bar Association*. Retrieved from http://www.americanbar.org/publications/gp_solo/2015/march-april/out_the_darkness_overcoming_depression_among_lawyers.html
- Clark, A. E., Frijters, P., & Shields, M. (2008). Relative income, happiness, and utility: An explanation for the Easterlin paradox and other puzzles. *Journal of Economic Literature*, 46(1), 95-144. doi:10.1257/jel.46.1.95
- Creswell, J. W. (2013). *Qualitative inquiry & research design: Choosing among five approaches*. Los Angeles, CA: Sage Publications, Inc.
- Creswell, J. W. (2014). *Research design: Qualitative, quantitative, and mixed methods approaches* (4th ed.). Los Angeles, CA: Sage Publications, Inc.
- Dammeyer, M. M., & Nunez, N. (1999). Anxiety and depression among law students: Current knowledge and future directions. *Law and Human Behavior*, 23(1), 55-73. doi:10.1023/A:1022374723371
- DeFreese, J. D., & Smith, A. L. (2013). Areas of worklife and the athlete burnout-engagement relationship. *Journal of Applied Sport Psychology*, 25(2), 180- 196. doi:10.1080/10413200.2012.705414

- Demerouti, E., Bakker, A. B., Nachreiner, F., & Schaufeli, W. B. (2001). The job demands-resources model of burnout. *The Journal of Applied Psychology, 86*(3), 499-512. doi:10.1037//0021-9010.86.3.499
- Demerouti, E., Mostert, K., & Bakker, A. B. (2010). Burnout and work engagement: A thorough investigation of the independency of both constructs. *Journal of Occupational Health Psychology, 15*(3), 209-222. doi:10.1037/a0019408
- Diener, E., & Biswas-Diener, R. (2002). Will money increase subjective well-being? *Social Indicators Research, 57*(2), 119-169. doi:10.1023/A:1014411319119
- Dinovitzer, R. and Garth, B. G. (2007). Lawyer satisfaction in the process of structuring legal careers. *Law & Society Review, 41*, 1–50. Retrieved from <http://onlinelibrary.wiley.com/doi/10.1111/lasr.2017.51.issue-2/issuetoc>
- Dolan, M. (1995, June 27). Miserable with the legal life: More and more lawyers hate their jobs, surveys find. Commercial pressure, burnout and a glut of rivals are blamed. *Los Angeles Times*. Retrieved from http://articles.latimes.com/1995-06-27/news/mn-17704_1_legal-life
- Dolin, J. M. (2007). Opportunity lost: How law school disappoints law students, the public, and the legal profession. *California Western Law Review, 44*(1), 219-255. Retrieved from <http://scholarlycommons.law.cwsl.edu/cgi/viewcontent.cgi?article=1085&context=cwlr>
- Du Plooy, J., & Roodt, G. (2010). Work engagement, burnout and related constructs as predictors of turnover intentions: Original research. *SA Journal of Industrial Psychology, 36*(1), 1-13. doi:10.4102/sajip.v36i1.910
- Durán, A., Extremera, N., & Rey, L. (2004). Self-reported emotional intelligence, burnout and engagement among staff in services for people with intellectual disabilities. *Psychological Reports, 95*, 386-390. doi:10.2466/PRO.95.6.386-390

- Eaton, W. W., Anthony, J. C., Mandel, W., & Garrison, R. (1990). Occupations and the prevalence of major depressive disorder. *Journal of Occupational Medicine*, 32(11), 1079-1087. doi:10.1097/00043764-199011000-00006
- Escriba-Aguir, V., Martin-Baena, D., & Perez-Hoyos, S. (2006). Psychosocial work environment and burnout among emergency medical and nursing staff. *International Archives of Occupational and Environmental Health*, 80(2), 127-133. doi:10.1007/s00420-006-0110-y
- Fenner, R. (2015, April 7). *Stanford law professor creates a new way to help students deal with the stress of it all*. Retrieved from <http://news.stanford.edu/2015/04/07/bankman-law-anxiety-040715/>.
- Fisher, C. D. (2010). Happiness at work. *International Journal of Management Reviews*, 12(4), 384-412. doi:10.1111/j.1468-2370.2009.00270.x
- Flores, R. & Arce, R. M. (2014, January 20). *Why are lawyers killing themselves?* Retrieved from <http://www.cnn.com/2014/01/19/us/lawyer-suicides/>.
- Freudenberger, H. J. (1974). Staff burn-out. *Journal of Social Issues*, 30(1), 159-165. doi:10.1111/j.1540-4560.1974.tb00706.x
- Freudenberger, H. J. (1975). The staff burn-out syndrome in alternative institutions. *Psychotherapy: Theory, Research and Practice*, 12(1), 73-82. doi:10.1037/h0086411
- Friedman, J., Jack, A. I., Rochford, K., & Boyatzis, R. (2015). Antagonistic neural networks underlying organizational behavior. *Organizational Neuroscience*, 7, 115-141. doi:10.1108/S1479-357120150000007004
- Garcia-Williams, A. G., Moffitt, L., & Kaslow, N. J. (2014). Mental health and suicidal behavior among graduate students. *Academy Psychiatry*, 38(5), 554-560. doi:10.1007/s40596-014-0041-y
- Gentry, J. E. (2002). Compassion fatigue: A crucible of transformation. *Journal of Trauma Practice*, 1, 37-61. Retrieved from <http://www.tandfonline.com/toc/wztp20/current>

- Giorgi, A. (1997). The theory, practice, and evaluation of the phenomenological method as a qualitative research. *Journal of Phenomenological Psychology, 28*(2), 235-260.
doi:10.1163/156916297X00103
- Glass, D. C., & McKnight, J. D. (1996). Perceived control, depressive symptomatology, and professional burnout: A review of the evidence. *Psychology and Health, 11*(1), 23-48.
doi:10.1080/08870449608401975
- Goleman, D. (1995). *Emotional intelligence: Why it can matter more than IQ*. New York, NY: Bantam Books.
- Goleman, D. (1998). *Working with emotional intelligence*. New York, NY: Random House, Inc.
- González-Romá, V., Schaufeli, W. B., Bakker, A. B., & Lloret, S. (2006). Burnout and work engagement: Independent factors or opposite poles? *Journal of Vocational Behavior, 68*(1), 165-174. doi:10.1016/j.jvb.2005.01.003
- Gorter, R. C., Jacobs, B. L., & Allard, R. H. (2012). Low burnout risk and high engagement levels among oral and maxillofacial surgeons. *European Journal of Oral Sciences, 120*(1), 69-74. doi:10.1111/j.1600-0722.2011.00923.x
- Gutierrez, D., & Mullen, P. R., (2016). Emotional intelligence and the counselor: Examining the relationship of trait emotional intelligence to counselor burnout. *Journal of Mental Health Counseling, 38*(3), 187-200. doi:10.17744/mehc.38.3.01
- Hagan, J., and Kay, F. (2007). Even lawyers get the blues: Gender, depression, and job satisfaction in legal practice. *Law & Society Review, 41*, 51–78. doi:10.1111/j.1540-5893.2007.00291.x
- Häggman-Laitila, A. (1999). The authenticity and ethics of phenomenological research: How to overcome the researcher's own views. *Nursing Ethics, 6*(1), 12-19. doi:10.1177 /096973309900600103
- Halbesleben, J. R. B., & Buckley, M. R. (2004). Burnout in organizational life. *Journal of Management, 30*(6), 859-879. doi:10.1016/j.jm.2004.06.004

- Halbesleben, J. R. B., & Demerouti, E. (2005). The construct validity of an alternative measure of burnout: Investigating the English translation of the Oldenburg Burnout Inventory. *Work & Stress, 19*(3), 208-220. doi:10.1080/02678370500340728
- Halpern, S. C. (1982). On the politics and pathology of legal education: (or whatever happened to that blindfolded lady with the scales?). *Journal of Legal Education, 32*(3), 383-394. Retrieved from <http://jle.aals.org/home/>
- Han, B., Crosby, A. E., Ortega, L. A. G., Parks, S. E., Compton, W. M., & Gfroerer, J. (2016). Suicidal ideation, suicide attempt, and occupations among employed adults aged 18-64 in the United States. *Comprehensive Psychiatry, 66*, 176-186. doi:10.1016/j.comppsy.2016.02.001
- Hazelden Betty Ford Foundation. (2014, August 13). *Hazelden Betty Ford Foundation teams with the American Bar Association for critical new research study*. Retrieved from <http://www.hazeldenbettyford.org/about-us/news-and-media/press-release/critical-new-research>
- Hazelden Betty Ford Foundation. (2016). *Addiction treatment for attorneys, judges, and other legal professionals*. Retrieved from <http://www.hazeldenbettyford.org/treatment/addiction-treatment-specialties/legal-professionals>
- Heinz, J. P., Hull, K. E., & Harter, A. A. (1999). Lawyers and their discontents: Findings from a survey of the Chicago Bar. *Indiana Law Journal, 74*(3), 735-758. Retrieved from <http://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=2244&context=ilj>
- Helmets, K. F., Danoff, D., Steinert, Y., Leyton, M., & Young, S. N. (1997). Stress and depressed mood in medical students, law students, and graduate students at McGill University. *Academic Medicine, 72*(8), 708-714. doi:10.1097/00001888-199708000-00018
- Higginbottom, G. M. (2004). Sampling issues in qualitative research. *Nurse Researcher, 12*(1), 7-19. doi:10.7748/nr2004.07.12.1.7.c5927

- Hill, A. (2004). Preventing burnout live well, laugh often. *GPSolo Magazine*, 21(7), 56-60.
Retrieved from
https://www.americanbar.org/content/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/preventingburnout.html
- Hoeflich, M. H. (2005). Legal ethics and depression. *The Journal of the Kansas Bar Association*, 74(8), 33-36. Retrieved from <http://hdl.handle.net/1808/7573>
- Hull, K. E. (1999). Cross-examining the myth of lawyers' misery. *Vanderbilt Law Review*, 52(4), 971-984. Retrieved from <https://www.vanderbiltlawreview.org/>
- Hurt, A. A., Grist, C. L., Malesky, L. A., Jr., & McCord, D. M. (2013). Personality traits associated with occupational 'burnout' in ABA therapists. *Journal of Applied Research in Intellectual Disabilities*, 26(4), 299-308. doi:10.1111/jar.12043
- Hyun, J. K., Quinn, B. C., Madon, T., & Lustig, S. (2006). Graduate student mental health: Needs assessment and utilization of counseling services. *Journal of College Student Development*, 47(3), 247-266. doi:10.1353/csd.2006.0030
- Hyun, J. K., Quinn, B. C., Madon, T., & Lustig, S. (2007). Mental health need, awareness, and use of counseling services among international graduate students. *Journal of American College Health*, 56(2), 109-118. doi:10.3200/JACH.56.2.109-118
- Jack, A. I., Dawson, A. J., Begany, K. L., Leckie, R. L., Barry, K. P., Ciccio, A. H., & Snyder, A. Z. (2013). fMRI reveals reciprocal inhibition between social and physical cognitive domains. *Neuroimage*, 66, 385-401. doi:10.1016/j.neuroimage.2012.10.061
- Jones, A. (2006, January 4). The third-year dilemma: Why firms lose associates. *The Wall Street Journal*. Retrieved from <http://www.wsj.com/articles/SB113571843977932357>
- Kahneman, D., & Deaton, A. (2010). High income improves evaluation of life but not emotional well-being. *Proceedings of the National Academy of Sciences of the United States of America*, 107(38), 16489-16493. doi:10.1073/pnas.1011492107

- Kammeyer-Mueller, J. D., Simon, L. S., & Rich, B. L. (2012). The psychic cost of doing wrong: Ethical conflict, divestiture socialization, and emotional exhaustion. *Journal of Management*, 38(3), 784-808. doi:10.1177/0149206310381133
- Kane, S. (2016, March 5). BigLaw definition. Retrieved from <https://www.thebalance.com/biglaw-nickname-definition-2164198>
- Kilfedder, C. J., Power, K. G., & Wells, T. J. (2001). Burnout in psychiatric nursing. *Journal of Advanced Nursing*, 34(3), 383-396. doi:10.1046/j.1365-2648.2001.01769.x
- Kim, H. J., Shin, K. H., & Swanger, N. (2009). Burnout and engagement: A comparative analysis using the Big Five personality dimensions. *International Journal of Hospitality Management*, 28(1), 96-104. doi:10.1016/j.ijhm.2008.06.001
- Kim, H. J., Shin, K. H., & Umbreit, T. (2007). Hotel job burnout: The role of personality characteristics. *International Journal of Hospitality Management*, 26(2), 421-434. doi:10.1016/j.ijhm.2006.03.006
- Kitroeff, N. (2016, January 26). The best law schools are attracting fewer students. *Bloomberg*. Retrieved from <http://www.bloomberg.com/news/articles/2016-01-26/the-best-law-schools-are-attracting-fewer-students>
- Koerber, A., & McMichael, L. (2008). Qualitative sampling methods: A primer for technical communicators. *Journal of Business and Technical Communication*, 22(4), 454-473. doi:10.1177/1050651908320362
- Korczak, D., Huber, B., & Kister, C. (2010). Differential diagnostic of the burnout syndrome. *GMS Health Technology Assessment*, 6, 1-9. doi:10.3205/hta000087
- Krill, P. R., Johnson, R., & Albert, L. (2016). The prevalence of substance use and other mental health concerns among American attorneys. *Journal of Addiction Medicine*, 10(1), 46-52. doi:10.1097/ADM.0000000000000182

- Koppes Bryan, L. L., & Vinchur, A. J. (2012). A history of industrial and organizational psychology. In S.W.J. Kozlowski (Ed.), *The Oxford handbook of organizational psychology, volume 1*. New York: Oxford University Press Inc.
- Langelaan, S., Bakker, A. B., van Doornen, L. J. P., & Schaufeli, W. B. (2006). Burnout and work engagement: Do individual differences make a difference? *Personality and Individual Differences, 40*(3), 521-532. doi:10.1016/j.paid.2005.07.009
- Law Info. (n.d.). Life after the first week. Retrieved from <http://www.lawinfo.com/law-student-firstweek.html>
- Leignel, S., Schuster, J. P., Hoertel, N., Poulain, X., & Limosin, F. (2014). Mental health and substance use among self-employed lawyers and pharmacists. *Occupational Medicine, 64*, 166-171. doi:10.1093/occmed/kqt173
- Leiter, M. P., & Maslach, C. (2009). Nurse turnover: The mediating role of burnout. *Journal of Nursing Management, 17*(3), 331-339. doi:10.1111/j.1365-2834.2009.01004.x
- Leone, S., Wessely, S., Huibers, M., Knottnerus, J. A., & Kant, I. J. (2011). Two sides of the same coin? On the history and phenomenology of chronic fatigue and burnout. *Psychology and Health, 26*(4), 449-464. doi:10.1080/08870440903494191
- Levin, A. P., Albert, L., Besser, A., Smith, D., Zelenski, A., Rosenkranz, S., & Neria, Y. (2011). Secondary traumatic stress in attorneys and their administrative support staff working with trauma-exposed clients. *The Journal of Nervous and Mental Disease, 199*(12), 946-955. doi:10.1097/NMD.0b013e3182392c26
- Levit, N., & Linder, D. O. (2010). *The happy lawyer: Making a good life in the law*. New York, NY: Oxford University Press, Inc.
- Lin, S. H., & Huang, Y. C. (2012). Investigating the relationship between loneliness and learning burnout. *Active Learning in Higher Education, 13*(3), 231-243. doi:10.1177/1469787412452983

- Lundkvist, E., Stenling, A., Gustafsson, H., & Hassmen, P. (2014). How to measure coach burnout: An evaluation of three burnout measures. *Measurement in Physical Education and Exercise Science, 18*(3), 209-226. doi:10.1080/1091367X.2014.925455
- Maroco, J., & Bonini Campos, J. A. D. (2012). Defining the student burnout construct: A structural analysis from three burnout inventories. *Psychological Reports, 111*(3), 814-830. doi:10.2466/14.10.20.PR0.111.6.814-830
- Maslach, C. (2001). What have we learned about burnout and health? *Psychology and Health, 16*(5), 607-611. doi:10.1080/08870440108405530
- Maslach, C., & Goldberg, J. (1998). Prevention of burnout: New perspectives. *Applied & Preventive Psychology, 7*(1), 63-74. doi:10.1016/S0962-1849(98)80022-X
- Maslach, C., & Jackson, S. E. (1981). The measurement of experienced burnout. *Journal of Occupational Behaviour, 2*, 99-113. doi:10.1002/job.4030020205
- Maslach, C., Jackson, S. E., & Leiter, M. P., (1996). *Maslach Burnout Inventory*. (3rd ed.). Palo Alto, CA: Consulting Psychologists Press.
- Maslach, C., & Leiter, M. P. (2008). Early predictors of job burnout and engagement. *Journal of Applied Psychology, 93*(3), 498-512. doi:10.1037/0021-9010.93.3.498
- Maslach, C., Leiter, M. P., & Schaufeli, W. (2009). Measuring burnout. In S. Cartwright & C. C. Cooper (Eds.), *The Oxford handbook of organizational well-being* (pp. 86-108). New York, NY: Oxford University Press Inc.
- Maslach, C., Schaufeli, W. B., & Leiter, M. P. (2001). Job burnout. *Annual Reviews Psychology, 52*, 397-422. doi:10.1146/annurev.psych.52.1.397
- Mausner-Dorsch, H., & Eaton, W. W. (2000). Psychosocial work environment and depression: Epidemiologic assessment of the demand-control model. *American Journal of Public Health, 90*(11), 1765-1770. doi:10.2105/AJPH.90.11.1765
- Merriam, S. B. (2009). *Qualitative research: A guide to design and implementation*. San Francisco, CA: John Wiley & Sons, Inc.

- Miles, M. B., Huberman, A. M., & Saldaña, J. (2014). *Qualitative data analysis: A methods sourcebook*. (Ed. 4). Thousand Oaks, CA: Sage Publications.
- Monahan, J., & Swanson, J. (2009). Lawyers at mid-career: A 20-year longitudinal study of job and life satisfaction. *Journal of Empirical Legal Studies*, 6(3), 451-483.
doi:10.1111/j.1740-1461.2009.01150.x
- Mone, E., Eisinger, C., Guggenheim, K., Price, B., & Stine, C. (2011). Performance management at the wheel: Driving employee engagement in organizations. *Journal of Business and Psychology*, 26(2), 205-212. doi:10.1007/s10869-011-9222-9
- Morse, J. M. (2003). A review committee's guide for evaluating qualitative proposals. *Qualitative Health Research*, 13(6), 833-851. doi:10.1177/1049732303013006005
- New York City Bar Association. (2015). Report of the task force on lawyers' quality of life.
Retrieved from http://www2.nycbar.org/Publications/reports/show_html_new.php?rid=23
- Northouse, P. G. (2013). *Leadership: Theory and practice* (6th ed.). Los Angeles, CA: Sage Publications Inc.
- Olson, E. (2016a, March 24). Law graduate who sued her school loses at trial. *The New York Times*. Retrieved from <http://nyti.ms/22J6se2>
- Olson, E. (2016b, July 15). Firms offer cash to help new lawyers pay student debt. *The New York Times*. Retrieved from <http://nyti.ms/29Ueihh>
- Organ, J. M. (2011). What do we know about the satisfaction/dissatisfaction of lawyers? A meta-analysis of research on lawyer satisfaction and well-being. *University of St. Thomas Law Journal*, 8, 225-276. Retrieved from <http://ir.stthomas.edu/cgi/viewcontent.cgi?article=1252&context=ustlj>
- Poulsen, A. A., Meredith, P., Khan, A., Henderson, J., Castrisos, V., & Khan, S. R. (2014). Burnout and work engagement in occupational therapists. *British Journal of Occupational Therapy*, 77(3), 156-164. doi:10.4276/030802214X13941036266621

- Porter, E. J. (1999). Defining the eligible, accessible population for a phenomenological study. *Western Journal of Nursing Research*, 21(6), 796-804. doi:10.1177/01939459922044207
- Prins, J. T., Van der Heijden, F. M. M. A., Hoekstra-Weebers, J. E. H. M., Bakker, A. B., Van de Wiel, H. B. M., Jacobs, B., & Gazendam-Donofrio, S. M. (2009). Burnout, engagement and resident physicians' self-reported errors. *Psychology, Health & Medicine*, 14(6), 654-666. doi:10.1080/13548500903311554
- Randall, K. J. (2013). Clergy burnout: Two different measures. *Pastoral Psychology*, 62(3), 333-341. doi:10.1007/s11089-012-0506-4
- Rhode, D. L. (2000). The profession and its discontents. *Ohio State Law Journal*, 61(4), 1335-1359. Retrieved from https://kb.osu.edu/dspace/bitstream/handle/1811/70419/OSLJ_V61N4_1335.pdf
- Rapoport, N. B. (2002). Is "thinking like a lawyer" what we really want to teach? *Journal of the Association of Legal Writing Directors*, 1, 91-108. Retrieved from <http://www.alwd.org/wp-content/uploads/2013/03/pdf/Rapoport.pdf>
- Robinson, O. C. (2014). Sampling in interview-based qualitative research: A theoretical and practical guide. *Qualitative Research in Psychology*, 11(1), 25-41. doi:10.1080/14780887.2013.801543
- Rothstein, L. (2008). Law students and lawyers with mental health and substance abuse problems: Protecting the public and the individual. *University of Pittsburgh Law Review*, 69(3), 531-566. doi:10.5195/lawreview.2008.106
- Saldaña, J. (2011). *Fundamentals of qualitative research: Understanding qualitative research*. New York, NY: Oxford University Press.
- Sand, G., & Miyazaki, A. D., (2000). The impact of social support on salesperson burnout and burnout components. *Psychology & Marketing*, 17(1), 13-26. doi:10.1002/(SICI)1520-6793(200001)17:1<13::AID-MAR2>3.0.CO;2-S

- Schaufeli, W. B., & Bakker, A. B. (2004). Job demands, job resources, and their relationship with burnout and engagement: a multi-sample study. *Journal of Organizational Behavior*, 25 (3), 293-315. doi:10.1002/job.248
- Schaufeli, W. B., Bakker, A. B., & Van Rhenen, W. (2009a). How changes in job demands and resources predict burnout, work engagement, and sickness absenteeism. *Journal of Organizational Behavior*, 30(7), 893-917. doi:10.1002/job.595
- Schaufeli, W. B., & Buunk, B. P. (2003). Burnout: An overview of 25 years of research and theorizing. In M. J. Schabracq, J. A. M. Winnubst, & C. L. Cooper (Eds.), *Handbook of Work and Health Psychology* (pp. 383-425). West Sussex, UK: Wiley.
- Schaufeli, W. B., Leiter, M. P., & Maslach, C. (2009b). Burnout: 35 years of research and practice. *Career Development International*, 14(3), 204-220.
doi:10.1108/13620430910966406
- Schaufeli, W. B., Martinez, I. M., Pinto, A. M., Salanova, M., & Bakker, A. B. (2002). Burnout and engagement in university students: A cross-national study. *Journal of Cross-Cultural Psychology*, 33(5), 464-481. doi:10.1177/0022022102033005003
- Scheiber, N. (2016, June 17). An expensive law degree and no place to use it. *The New York Times*. Retrieved from <http://nyti.ms/24VmZec>
- Schiltz, P. J. (1999). On being a happy, healthy, and ethical member of an unhappy, unhealthy, and unethical profession. *Vanderbilt Law Review*, 52(4), 871-952. Retrieved from http://www.integrityseminar.org/wp/wp-content/uploads/2015/02/Being_Happy_Healthy_Ethical_Member.pdf
- Seligman, M. E. P., Verkuil, P. R., & Kang, T. H. (2005). Why lawyers are unhappy. *Deakin Law Review*, 10(1), 49-66. doi:10.21153/dlr2005vol10no1art268
- Shanfield, S. B., & Benjamin, G. A. H. (1985). Psychiatric distress in law students. *Journal of Legal Education*, 35(1), 65-75. Retrieved from <http://jle.aals.org/home/>

- Sheldon, K. M., & Krieger, L. S. (2004). Does legal education have undermining effects on law students? Evaluating changes in motivation, values, and well-being. *Behavioral Science and the Law*, 22, 261-286. doi:10.1002/bsl.582
- Sheldon, K. M., & Krieger, L. S. (2007). Understanding the negative effects of legal education on law students: A longitudinal test of self-determination theory. *Personality and Social Psychology Bulletin*, 33(6), 883-897. doi:10.1177/0146167207301014
- Shirom, A. (2009). Burnout and health: Expanding our knowledge. *Stress and Health*, 25(4), 281-285. doi:10.1002/smi.1283
- Shirom, A., & Melamed, S. (2006). A comparison of the construct validity of two burnout measures in two groups of professionals. *International Journal of Stress Management*, 13(2), 176-200. doi:10.1037/1072-5245.13.2.176
- Sofaer, S. (2002). Qualitative research methods. *International Journal for Quality in Health Care*, 14(4), 329-336. Retrieved from [http://onlinelibrary.wiley.com/journal/10.1111/\(ISSN\)1740-1461](http://onlinelibrary.wiley.com/journal/10.1111/(ISSN)1740-1461)
- Soler, J. K., Yaman, H., Esteva, M., Dobbs, F., Asenova, R. S., Katic, M., . . . Urgan, M. (2008). Burnout in European family doctors: the EGPRN study. *Family Practice*, 25(4), 245-265. doi:10.1093/fampra/cmn038
- Stake, J. E., Dau-Schmidt, K. G., & Mukhopadhyaya, K. (2007). Income and career satisfaction in the legal profession: Survey data from Indiana Law School graduates. *Journal of Empirical Legal Studies*, 4(4), 939-981. doi:10.1111/j.1740-1461.2007.00111.x
- State Bar of California. (2015, November 20). State bar announces results for July 2015 California bar examination. Retrieved from <http://www.calbar.ca.gov/AboutUs/News/Archives/2015NewsReleases/201528.aspx>
- State Bar of California. (2016a). *Minimum continuing legal education (MCLE) requirements*. Retrieved from <http://mcle.calbar.ca.gov/Attorneys/Requirements.aspx>

- State Bar of California. (2016b). *Member demographics*. Retrieved from <https://members.calbar.ca.gov/search/demographics.aspx>
- State Bar of California. (2016c). *Member status definitions*. Retrieved from <http://www.calbar.ca.gov/portals/0/documents/members/Status.html>
- State Bar of California. (2016d). How do I become a lawyer? Retrieved from <http://www.calbar.ca.gov/Public/Pamphlets/BecomingALawyer.aspx#4>
- State Bar of California. (2016e, May 13). State bar announces results for February 2016 California bar examination. Retrieved from <http://www.calbar.ca.gov/AboutUs/News/ThisYearsNewsReleases/201625.aspx>
- Thyer, B. A. (2001). *The handbook of social work research methods*. Thousand Oaks, CA: Sage Publications.
- U.S. Department of Labor, Bureau of Labor Statistics. (2015). *Occupational employment statistics: May 2015 national occupational employment and wage estimates United States*. Retrieved from http://www.bls.gov/oes/current/oes_nat.htm
- U.S. News and World Report. (2014). Lawyer salary. Retrieved from <http://money.usnews.com/careers/best-jobs/lawyer/salary>
- Vinje, H. F., & Mittelmark, M. B. (2007). Job engagement's paradoxical role in nurse burnout. *Nursing and Health Sciences*, 9(2), 107-111. doi:10.1111/j.1442-2018.2007.00310.x
- Waldinger, R. (2015, November). *Robert Waldinger: What makes a good life? Lessons from the longest study on happiness* [Video file]. Retrieved from http://www.ted.com/talks/robert_waldinger_what_makes_a_good_life_lessons_from_the_longest_study_on_happiness?language=en.
- Waldinger, R. J., & Schulz, M. S. (2010). What's love got to do with it? Social functioning, perceived health, and daily happiness in married octogenarians. *Psychology and Aging*, 25(2), 422-431. doi:10.1037/a0019087

- Ward, S. F. (2007). Pulse of the legal profession. *ABA Journal*, 93(10), 30-34. Retrieved from http://www.abajournal.com/magazine/article/pulse_of_the_legal_profession
- Weiss, D. C. (2013, July 1). Want career satisfaction? Don't chase money and prestige, lawyer survey suggests. *ABA Journal*. Retrieved from http://www.abajournal.com/news/article/want_career_satisfaction_dont_chase_money_and_prestige_survey_suggests
- Weiss, D. C. (2015, March 2). This law school charges more than \$60k; tuition is up 13% in 3 years at top BigLaw feeder schools. *ABA Journal*. Retrieved from http://www.abajournal.com/news/article/this_elite_law_school_charges_more_than_60k_in_tuition/
- Weng, H. C., Hung, C. M., Liu, Y. T., Cheng, Y. J., Yen, C. Y., Chang, C. C., & Huang, C. K. (2011). Associations between emotional intelligence and doctor burnout, job satisfaction and patient satisfaction. *Medical Education*, 45, 835-842. doi:10.1111/j.1365-2923.2011.03985.x
- Westman, M., & Etzion, D. (1999). The crossover of strain from school principals to teachers and vice versa. *Journal of Occupational Health Psychology*, 4(3), 269-278. doi:10.1037//1076-8998.4.3.269
- Williams, A. (2008, January 6). The falling-down professions. *The New York Times*. Retrieved from http://www.nytimes.com/2008/01/06/fashion/06professions.html?_r=0
- Willig, C. (2007). Reflections on the use of a phenomenological method. *Qualitative Research in Psychology*, 4(3), 209-225. doi:10.1080/14780880701473425
- World Health Organization. (2014). *Preventing suicide: A global imperative*. Geneva, Switzerland: WHO.
- Yale Law School. (2016, May). The truth about the billable hour. Retrieved from <https://www.law.yale.edu/student-life/career-development/students/career-guides-advice/truth-about-billable-hour>

Yilmaz, K. (2013). Comparison of quantitative and qualitative research traditions:
Epistemological, theoretical, and methodological differences. *European Journal of
Education, 48*(2), 311-325. doi:10.1111/ejed.12014

APPENDIX A

IRB Approval



Pepperdine University
24255 Pacific Coast Highway
Malibu, CA 90263
TEL: 310-506-4000

NOTICE OF APPROVAL FOR HUMAN RESEARCH

Date: December 23, 2016

Protocol Investigator Name: Ilona Salmoms

Protocol #: 16-11-434

Project Title: Best Practices for Managing Burnout in Attorneys

School: Graduate School of Education and Psychology

Dear Ilona Salmoms:

Thank you for submitting your application for exempt review to Pepperdine University's Institutional Review Board (IRB). We appreciate the work you have done on your proposal. The IRB has reviewed your submitted IRB application and all ancillary materials. Upon review, the IRB has determined that the above entitled project meets the requirements for exemption under the federal regulations 45 CFR 46.101 that govern the protections of human subjects.

Your research must be conducted according to the proposal that was submitted to the IRB. If changes to the approved protocol occur, a revised protocol must be reviewed and approved by the IRB before implementation. For any proposed changes in your research protocol, please submit an amendment to the IRB. Since your study falls under exemption, there is no requirement for continuing IRB review of your project. Please be aware that changes to your protocol may prevent the research from qualifying for exemption from 45 CFR 46.101 and require submission of a new IRB application or other materials to the IRB.

A goal of the IRB is to prevent negative occurrences during any research study. However, despite the best intent, unforeseen circumstances or events may arise during the research. If an unexpected situation or adverse event happens during your investigation, please notify the IRB as soon as possible. We will ask for a complete written explanation of the event and your written response. Other actions also may be required depending on the nature of the event. Details regarding the timeframe in which adverse events must be reported to the IRB and documenting the adverse event can be found in the *Pepperdine University Protection of Human Participants in Research: Policies and Procedures Manual* at community.pepperdine.edu/irb.

Please refer to the protocol number denoted above in all communication or correspondence related to your application and this approval. Should you have additional questions or require clarification of the contents of this letter, please contact the IRB Office. On behalf of the IRB, I wish you success in this scholarly pursuit.

Sincerely,

Judy Ho, Ph.D., IRB Chair

APPENDIX B

E-mail Recruitment Script

Dear [Participant's Name],

My name is Ilona Salmons, and I am a doctoral student in the Graduate School of Education and Psychology at Pepperdine University. I am conducting a research study examining exemplary attorneys who have successfully navigated the challenges within the legal profession. You are invited to participate in the study. If you agree, you are invited to partake in an interview where you will be asked about your professional experience as an attorney. The interview is anticipated to take no more than one hour. The interview will be audio-recorded so that I may maximize our time together. Subsequently, the audio recordings will be transcribed and deleted.

I am specifically looking for volunteers who:

- are full-time attorneys in BigLaw (firm with 100 or more attorneys)
- have been employed as a full-time attorney for 5–10 years
- have an active status with the State of California Bar

Participation in this study is voluntary. Your identity as a participant will remain confidential during and after the study. All audio recordings and interview transcripts will be password protected. Neither your name nor any identifiable information will be used in the research study.

If you have questions or would like to participate, please contact me at ilona.salmons@pepperdine.edu.

Thank you for your participation,

Ilona Salmons, M.A., Doctoral Candidate

Pepperdine University Graduate School of Education and Psychology

APPENDIX C

Informed Consent

PEPPERDINE UNIVERSITY

Graduate School of Education and Psychology

INFORMED CONSENT FOR PARTICIPATION IN RESEARCH ACTIVITIES

BEST PRACTICES FOR MANAGING BURNOUT IN ATTORNEYS

You are invited to participate in a research study conducted by Ilona Salmons, M.A., with guidance by Farzin Madjidi, Ed.D. at Pepperdine University because you are a licensed attorney practicing in the State of California. Your participation is voluntary. You should read the information below, and ask questions about anything that you do not understand, before deciding whether to participate. Please take as much time as you need to read the consent form. You may also decide to discuss participation with your family or friends. If you decide to participate, you will be asked to sign this form. You will also be given a copy of this form for your records.

PURPOSE OF THE STUDY

The purpose of the study is to examine the best practices for successfully managing burnout in the legal profession. The research study is designed to identify factors unique to the legal profession that contribute to attorney burnout, as well understand how attorneys navigate these challenges. The findings may inform firms and bar associations on how to create effective strategies for preventing and resolving burnout in attorneys.

STUDY PROCEDURES

If you volunteer to participate in this study, you will be asked to partake in an interview with the principal investigator, Ilona Salmons, M.A. You will be asked a series of interview questions regarding your professional experience in the legal field, the challenges you have faced, and the strategies you have employed to navigate these challenges. The interview will be audio recorded in order to maximize accuracy. All audio files will be password-protected, transcribed, and subsequently destroyed.

POTENTIAL RISKS AND DISCOMFORTS

The potential and foreseeable risks associated with participation in this study include a breach of confidentiality or interview fatigue. The researcher will minimize the risk of breach of confidentiality by keeping all files on a password-protected computer. The researcher will minimize the risk of interview fatigue by ensuring the interviews do not exceed a duration of one hour.

POTENTIAL BENEFITS TO PARTICIPANTS AND/OR TO SOCIETY

While there are no direct benefits to the study participants, the anticipated benefits to society include a better understanding of how to manage challenges within the legal profession. This data may potentially be used to create sustainable, engaging work environments where all attorneys can thrive.

CONFIDENTIALITY

The records collected for this study will be confidential far as permitted by law. However, if required to do so by law, it may be necessary to disclose information collected about you. Examples of the types of issues that would require me to break confidentiality are if any instances of child abuse and elder abuse are disclosed. Pepperdine's University's Human Subjects Protection Program (HSPP) may also access the data collected. The HSPP occasionally reviews and monitors research studies to protect the rights and welfare of research subjects.

The data will be stored on a password-protected computer in the principal investigator's place of residence. The data collected will be coded and de-identified. The data will be stored for a minimum of three years and then destroyed.

Any identifiable information obtained in connection with this study will remain confidential. Your name, address, firm name, or other identifiable information will not be included as a part of this study. Your responses will be coded with a pseudonym and transcript data will be maintained separately. The audio recordings will be destroyed once they have been transcribed. You have the right to review and edit the transcripts.

SUSPECTED NEGLECT OR ABUSE OF CHILDREN

Under California law, the researcher(s) who may also be a mandated reporter will not maintain as confidential, information about known or reasonably suspected incidents of abuse or neglect of a child, dependent adult or elder, including, but not limited to, physical, sexual, emotional, and financial abuse or neglect. If any researcher has or is given such information, he or she is required to report this abuse to the proper authorities.

PARTICIPATION AND WITHDRAWAL

Your participation is voluntary. Your refusal to participate will involve no penalty or loss of benefits to which you are otherwise entitled. You may withdraw your consent at any time and discontinue participation without penalty. You are not waiving any legal claims, rights, or remedies because of your participation in this research study.

ALTERNATIVES TO FULL PARTICIPATION

The alternative to participation in the study is not participating or only completing the items for which you feel comfortable. Your relationship with your employer will not be affected whether you participate or not in this study.

EMERGENCY CARE AND COMPENSATION FOR INJURY

If you are injured as a direct result of research procedures you will receive medical treatment; however, you or your insurance will be responsible for the cost. Pepperdine University does not provide any monetary compensation for injury

INVESTIGATOR'S CONTACT INFORMATION

You understand that the investigator is willing to answer any inquiries you may have concerning the research herein described. You understand that you may contact Ilona Salmons (ilona.salmons@pepperdine.edu) or Farzin Madjidi (farzin.madjidi@pepperdine.edu) if you have any other questions or concerns about this research.

RIGHTS OF RESEARCH PARTICIPANT—IRB CONTACT INFORMATION

If you have questions, concerns, or complaints about your rights as a research participant or research in general, please contact Dr. Judy Ho, Chairperson of the Graduate & Professional Schools Institutional Review Board at Pepperdine University, 6100 Center Drive, Suite 500, Los Angeles, CA 90045, 310-568-5753 or gpsirb@pepperdine.edu.

APPENDIX D

Call Script

Hello, [participant's name].

My name is Ilona Salmons, and I am the doctoral student at Pepperdine University who e-mailed you about my study. I am conducting a research study examining exemplary attorneys who have successfully navigated the challenges within the legal profession.

You replied to my e-mail and expressed your interest in participating. Do you mind if I ask you a couple of questions and schedule a time for our interview?

- I want to confirm that you are a licensed attorney, practicing in the State of California.
- Are you currently employed full-time in BigLaw, defined as a firm with 100 or more attorneys?
- Have you worked as an attorney for a minimum of five, but no more than ten years?

Thank you for answering those questions. I would like to move forward with scheduling an interview.

I would like to invite you to select a location where you would feel the most comfortable being candid with your answers. [Confirm location.] I am available on [date and time]. Does this work for you? [Confirm date and time.]

I want to remind you that your participation in this study is voluntary. **Your identity as a participant will remain confidential during and after the study.** All audio recordings and interview transcripts will be password protected, transcribed, and subsequently deleted. Neither your name nor any identifiable information will be used in the research study.

Thank you for your participation, and I look forward to meeting you on [date of interview]. If you have any questions, please don't hesitate to contact me via phone or e-mail.

APPENDIX E

Research Questions Review Form

Dear Reviewer:

Thank you for agreeing to participate in my research study. The table below is designed to ensure that my research questions for the study are properly addressed with corresponding interview questions.

In the table below, please review each research question and the corresponding interview questions. For each research question, consider how well the interview question addresses the research question. If the interview question is directly relevant to the research question, please mark "Keep as stated." If the interview question is irrelevant to the research question, please mark "Delete it." Finally, if the interview question can be modified to better fit with the research question, please suggest your modifications in the space provided. You may also recommend additional interview questions you deem necessary.

Once you have completed your analysis, please return the completed form to me via e-mail to ilona.salmons@pepperdine.edu. Thank you again for your participation.

Table D1.

Research Questions Review Form

Research Questions	Corresponding Interview Questions
<p>RQ 1: What strategies and best practices do attorneys deploy in mitigating professional burnout?</p>	<p>IQ 1. Describe the sources and levels of stress experienced during a typical week at work.</p> <p>a. The question is directly relevant to Research question. Keep as stated.</p> <p>b. The question is irrelevant to research question. Delete it.</p> <p>c. The question should be modified as suggested:</p> <p>_____</p> <p>_____</p> <p>I recommend adding the following interview questions:</p> <p>_____</p> <p>_____</p> <hr/> <p>IQ 2. What common strategies do you use during work hours to reduce the stress you experience as a result of your role as an attorney?</p> <p>a. The question is directly relevant to Research question. Keep as stated.</p>

b. The question is irrelevant to research question.
Delete it.

c. The question should be **modified as suggested**:

I recommend adding the following interview questions:

IQ 3. What common strategies do you use outside of work to reduce the stress you experience as a result of your role as an attorney?

a. The question is directly relevant to Research question. **Keep as stated.**

b. The question is irrelevant to research question.
Delete it.

c. The question should be **modified as suggested**:

I recommend adding the following interview questions:

IQ 4. What resources related to your position as an attorney play the largest role in reducing your level of stress?

a. The question is directly relevant to Research question. **Keep as stated.**

b. The question is irrelevant to research question.
Delete it.

c. The question should be **modified as suggested**:

I recommend adding the following interview questions:

	<p>IQ 5. What common strategies do you use to navigate interpersonal challenges as related to your role as an attorney?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it. c. The question should be modified as suggested: <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <hr/> <p>IQ 6. What other strategies do you used that you have not already discussed?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it. c. The question should be modified as suggested: <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <hr/>
<p>RQ 2: What challenges do attorneys face the most in deploying measures to mitigate professional burnout?</p>	<p>IQ 7. What personal challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it. c. The question should be modified as suggested: <hr/> <hr/>

	<p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <p>IQ 8. What interpersonal challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it. c. The question should be modified as suggested: <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <p>IQ 9. What organizational challenges did you face in utilizing or deploying the previously discussed strategies in managing your professional stress?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it. c. The question should be modified as suggested: <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <p>IQ 10. Were there things that went wrong that you did not anticipate when implementing the strategies?</p> <ul style="list-style-type: none"> a. The question is directly relevant to Research question. Keep as stated. b. The question is irrelevant to research question. Delete it.
--	--

	<p>c. The question should be modified as suggested:</p> <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/>
<p>RQ 3: How do attorneys assess success measures to mitigate professional burnout?</p>	<p>IQ 11. How do you determine whether or not an intervention strategy was successful in decreasing professional stress?</p> <p>a. The question is directly relevant to Research question. Keep as stated.</p> <p>b. The question is irrelevant to research question. Delete it.</p> <p>c. The question should be modified as suggested:</p> <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <hr/> <p>IQ 12. Does the company culture play a role in decreasing your professional stress? If yes, how? If no, why not?</p> <p>a. The question is directly relevant to Research question. Keep as stated.</p> <p>b. The question is irrelevant to research question. Delete it.</p> <p>c. The question should be modified as suggested:</p> <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/>

RQ 4: What recommendation would attorneys make to other law practitioners to mitigate professional burnout?

IQ 13. Knowing what you know now, what would you do differently as a first-year attorney?

- a. The question is directly relevant to Research question. **Keep as stated.**
- b. The question is irrelevant to research question. **Delete it.**
- c. The question should be **modified as suggested:**

I recommend adding the following interview questions:

IQ 14. Knowing what you know now, are there things that you did as a first-year attorney that were helpful and that you would do again/continue to do?

- a. The question is directly relevant to Research question. **Keep as stated.**
- b. The question is irrelevant to research question. **Delete it.**
- c. The question should be **modified as suggested:**

I recommend adding the following interview questions:

IQ 15. Can firm leadership play a role in decreasing job stress? If yes, how? If no, why not?

- a. The question is directly relevant to Research question. **Keep as stated.**
- b. The question is irrelevant to research question. **Delete it.**
- c. The question should be **modified as suggested:**

	<p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <hr/> <p>IQ 16. Can the local or national bar association play a role in decreasing job stress? If yes, how? If no, why not?</p> <ul style="list-style-type: none">a. The question is directly relevant to Research question. Keep as stated.b. The question is irrelevant to research question. Delete it.c. The question should be modified as suggested: <hr/> <hr/> <hr/> <hr/> <p>I recommend adding the following interview questions:</p> <hr/> <hr/> <hr/> <hr/>
--	--