

TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA



Phase II | 2022-2024

RESEARCH REPORT ALBERTA

Under the scientific direction of
Dr. Nathalie Cadieux, Ph.D. CRHA

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Authors of this report

Prof. Nathalie Cadieux, Ph.D., CRHA

Principal Researcher

Marc-André Bélanger, M.Sc.

Research Professional

Amira Driss

Master's candidate, Research Assistant

Prof. Jean Cadieux, Ph.D.

Co-Researcher and Statistical Director

Éveline Morin, M.Sc.

DBA candidate, Research Assistant

Josbert Gahunzire, M.Sc.

DBA candidate, Research Assistant

Audrée Bethsa Camille, M.Sc., CRHA

DBA candidate, Research Assistant

Marie-Louise Pomerleau

Master's candidate, Research Assistant

Prof. Marie-Michelle Gouin, Ph.D., CRIA

Research Collaborator

Prof. Geneviève Robert-Huot, Ph.D., CRHA

Research Collaborator

Prof. Rémi Labelle-Deraspe, Ph.D., CRHA

Research Collaborator

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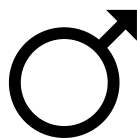
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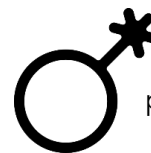
Phase I participants description: Law Society of Alberta



38.2% women
with an average
age of **42.9** years

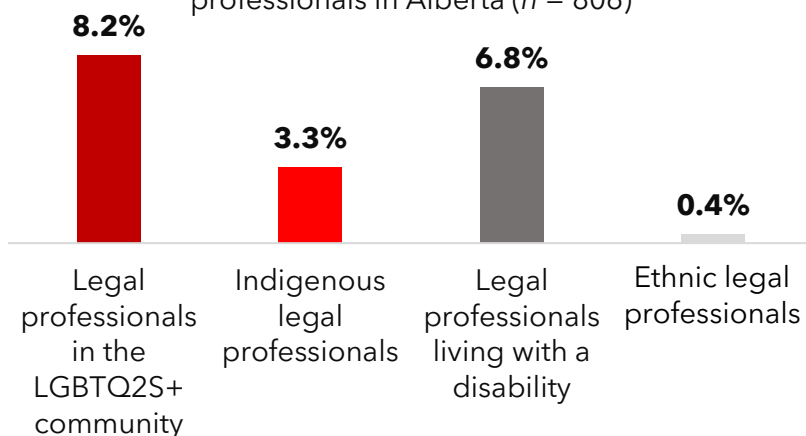


61.8% men with
an average age of
46.7 years

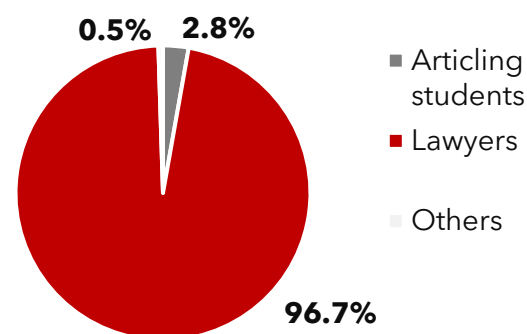


0.3% non-binary
people with an average
age of **44.0** years

Portrait of **diversity** among participating legal professionals in Alberta ($n = 806$)



Proportion of participating legal professionals in Alberta by **profession** ($n = 806$)



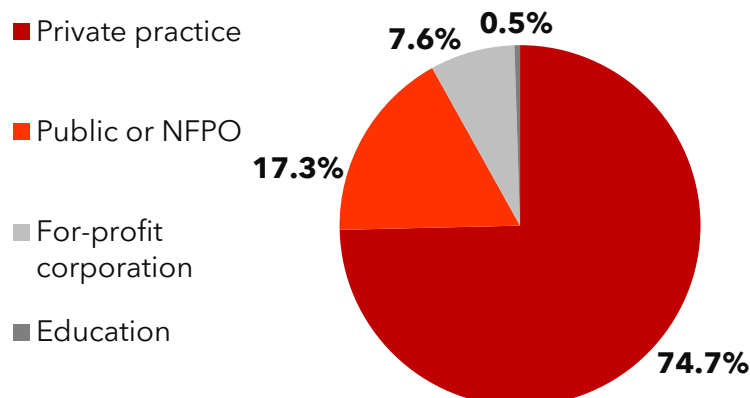
57.8%

Participating legal professionals in Alberta are members of the Canadian Bar Association CBA ($n = 806$)

4.3%

Participating legal professionals in Alberta were qualified by the National Committee on Accreditation NCA ($n = 803$)

Proportion of participating legal professionals by **work setting** ($n = 758$)

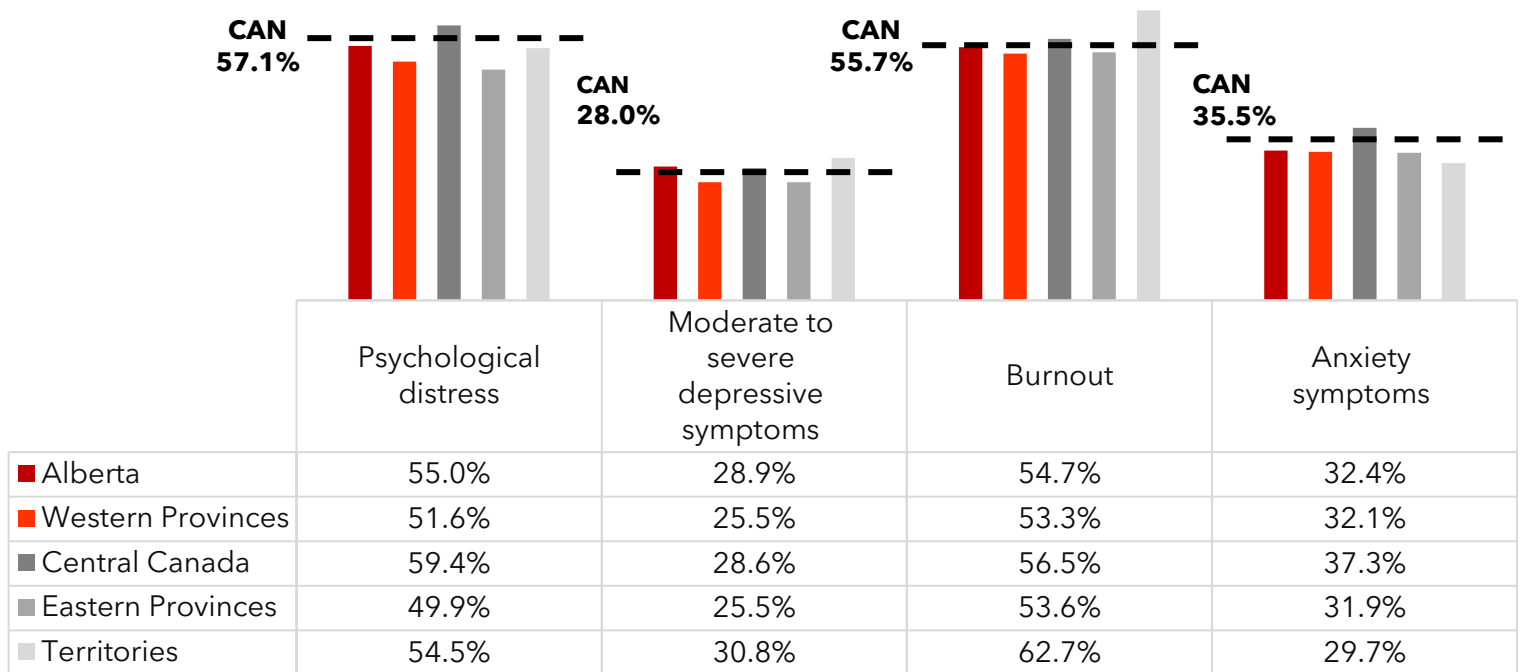


Areas of practice:

- Civil Litigation (36.5%)
- Business, Corporate and Commercial Law (30.9%)
- Wills, Estates and Trusts (19.8%)
- Real Property (19.3%)
- Family Law (13.3%)
- Criminal Law (13.2%)
- Alternative Dispute Resolution (10.4%)
- Labour and Employment Law (9.1%)
- Human Rights, Public and Administrative Law (5.8%)

Mental health indicators (Phase I): Law Society of Alberta

Proportion of mental health indicators of participating legal professionals in Alberta by Canadian geographic regions (n = 6,901)



26.2%

Participating legal professionals in Alberta who have had **suicidal thoughts** since the beginning of their career (n = 720). The average in Canada is **24.1%**



51.4%

Participating legal professionals in Alberta did not seek **help for their mental health issues, even though they felt the need to do so** (n = 792). The average in Canada is **46.8%**.

Three main reasons for not seeking help:

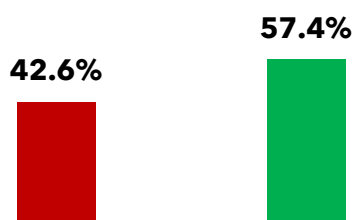
1. Thoughts the issue is temporary **29.0%**
2. Lack of energy to seek help **17.1%**
3. Not certain as to the need to seek help **11.3%**



9.2%

Participating legal professionals in Alberta who **have taken more than three months of medical leave** in the last five years (n = 806)

Proportion of **affective commitment to the profession** among participating legal professionals in Alberta (n = 630)

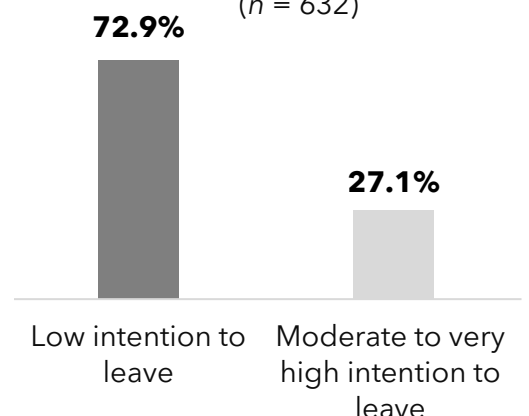


Low commitment Moderate to very high commitment

Proportion of **mentorship participation** among participating legal professionals in Alberta (n = 806)



Proportion of **intention to leave the profession** among participating legal professionals in Alberta (n = 632)



INTRODUCTION | HEALTH AND WELLNESS PRIORITIES IN THE PRACTICE OF LAW IN ALBERTA

This report is part of Phase II of the “Towards a Healthy and Sustainable Practice of Law in Canada” project. Funded by the Social Sciences and Humanities Research Council of Canada, this report has three main objectives:

- 1) Paint an accurate picture of the main psychological health and wellness issues in the workplace among legal professionals working in Alberta based on Canadian data collected during Phase I (Cadieux et al., 2022);
- 2) Contextualize the quantitative results obtained in Phase I through interviews with participating legal professionals working in Alberta;
- 3) Make targeted recommendations to address important health and wellness issues among legal professionals in Alberta.

The first objective was achieved through quantitative data collected in Alberta during the first phase of this national project ($n = 806$). The second objective is based on qualitative data gathered through interviews. As part of Phase II, 28 legal professionals working in Alberta volunteered to participate in a semi-structured interview. Participants were then selected ($n = 6$) and semi-structured interviews were then conducted. In order to identify the priorities of legal professionals working in Alberta, a list of 10 key themes arising from Phase I (Cadieux et al., 2022) was included in the invitation sent to potential participants through their bar association. These themes focus on the determinants of health and well-being in the practice of law. When expressing their interest to participate in an interview, legal professionals were asked to rank each of these priorities in order of importance. The three themes that were most important to them were then selected for the purposes of this report. Table 1 lists these priorities in order of importance.

Table 1

Prioritization of mental health and wellness themes according to participating legal professionals working in Alberta who expressed an interest in being interviewed.

Theme	Contents	Number of legal professionals for whom the theme is among the top three important themes to address
1	Working conditions and cognitive demands	17
2	Work-life balance	17
3	Coping strategies and lifestyle	12
4	Training and mentorship	10
5	Diversity and inclusion in the practice of law in Canada	8
6	Return to work after a prolonged medical leave/absence	7
7	Billable hours	6
8	Regulation and practice review	4
9	Technology and legal practice (technostress)	3
10	Telework	0

Based on the results presented in Table 1, this report addresses the three themes most frequently reported as priorities: (1) working conditions and cognitive demands; (2) work-life balance; and (3) coping strategies and lifestyle. The results presented for each theme are based on weighted quantitative data obtained during Phase I in Alberta ($n = 806$) and on interviews conducted ($n = 6$).

1.1 THEME 1 | WORKING CONDITIONS AND COGNITIVE DEMANDS

Authors: Marc-André Bélanger, M.Sc., Prof. Nathalie Cadieux, Ph.D., CRHA

The first theme that emerged as a priority with respect to mental health and wellness for participating legal professionals in Alberta relates to working conditions that characterize their practice. On one hand, this theme can be analyzed by examining the constraints, i.e., the risk factors likely to increase the burden on legal professionals and thereby have a negative impact on their health. On the other hand, working conditions can also be analyzed by examining available resources, i.e., the protective factors likely to alleviate the burden of these constraints. Ultimately, it is the individual’s appraisal of present constraints and available resources that may generate stress (Lazarus & Folkman, 1984).

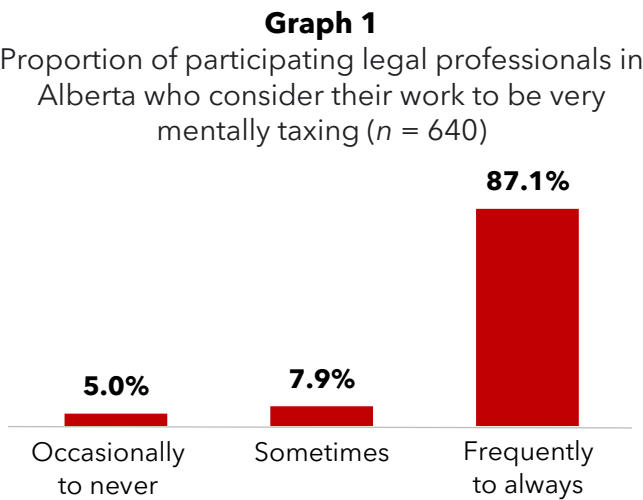
PORTRAIT OF WORKPLACE CONSTRAINTS AMONG LEGAL PROFESSIONALS

The first phase of the *Towards a Healthy and Sustainable Practice of Law in Canada* national survey made it possible to measure the proportions of the various constraints that emerged as being the most important to participating legal professionals in Alberta, as shown in Table 2. Although proportions of certain constraints may appear low, they do not necessarily indicate a non-significant relationship to legal professionals’ mental health. The impacts of the constraints on professionals’ health will be addressed later in this section.

Table 2
Presence of constraints in the practice of participating of legal professionals in Alberta (in %)

Constraints in the practice	Constraint present (in %)
Qualitative overload	82.5%
billable hour pressure	64.2%
Long hours worked (≥ 50 h/week)	56.8%
Emotional demands	53.9%
Quantitative overload	51.7%
Lack of resources	25.4%
Pressure to perform	22.3%
Job insecurity	15.4%
Workplace incivility	12.7%
Workplace violence	4.3%

Table 2 shows that work overload, particularly at the qualitative level (82.5%) and to a lesser extent at the quantitative level (51.7%), is very present among participating legal professionals. The psychological demands to which legal professionals are subjected require managing a number of factors simultaneously and dealing with high cognitive demands on a daily basis. Specifically, more than 4 out of 5 (87.1%) professionals indicated that their work was frequently to always very mentally taxing, as shown in Graph 1.



Given the mentally demanding nature of their work, legal professionals need a certain time to decompress before they can turn their attention to other responsibilities, as the following participant explains.

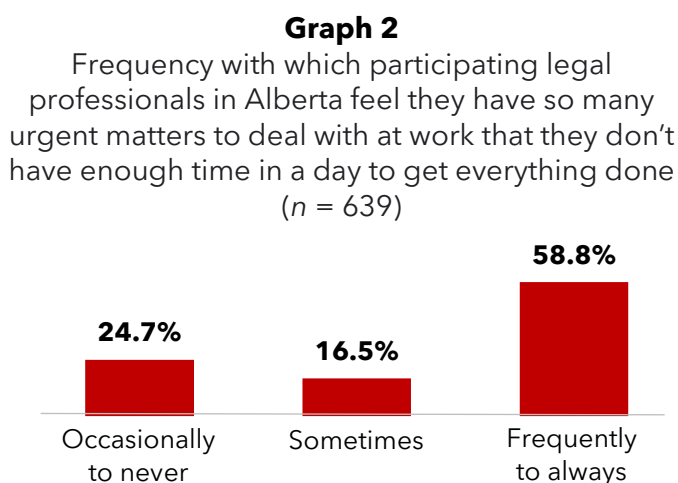
“You’ve dedicated so much mental and emotional energy to that in your workday that it takes you a couple of hours just to put that part of your day away and be able to then turn and focus on something else. [...] If your work has taken so much of your energy that you need, almost it’s like a detoxification process for a couple of hours. You need to cleanse out everything and you need to rest up.” **AB-4**

However, in situations where responsibilities are excessive, taking this mental break seems impossible.

At the same time, the need for financial security and for validation in a professional context that values performance are complementary contextual aspects that shed some light on these results.

Indeed, more than 8 out of 10 (82.5%) participating legal professionals reported experiencing qualitative overload. This is significantly correlated with perceived stress, indicating high cognitive demands (see Table 4).

As for quantitative overload, it creates a feeling among legal professionals of being unable to manage the full scope of workplace urgent matters. This may explain why they feel the need to work longer hours. Ultimately, as shown in the following section, this is likely to create conflicts between professional and family responsibilities. Furthermore, as illustrated in Graph 2, close to 6 out of 10 participating legal professionals (58.8%) consider that they have so many urgent matters to deal with at work that they frequently or always lack the time to get everything done within regular working hours.



In this respect, these urgent matters compound work overload when they cause delays in carrying out other responsibilities. Thus, the number of tasks seems to exceed the time available in a day to complete them, which is exacerbated by the added urgent matters, as the following quote illustrates.

“Like I said, just that, the time to get everything done, it always feels on the day like, I don’t have enough hours and emails are a big one, because if you have a big project that you’re working on, [...] So then, of course, it puts you further and further behind with every email that comes in because it’s another thing that you need to get done right now.” **AB-1**

There is also a link between quantitative overload and the large number of tasks assigned to legal professionals insofar as they lack sufficient time to properly prepare their files. Work overload also prevents some professionals from using resources that foster their wellness and from making progress on their goals, which can be detrimental to their mental health. Trial times also add pressure to work longer hours. Ultimately, work overload is significantly correlated with burnout (see Table 4), i.e., the feeling of being increasingly exhausted over time. In the following quote, one participant explains why

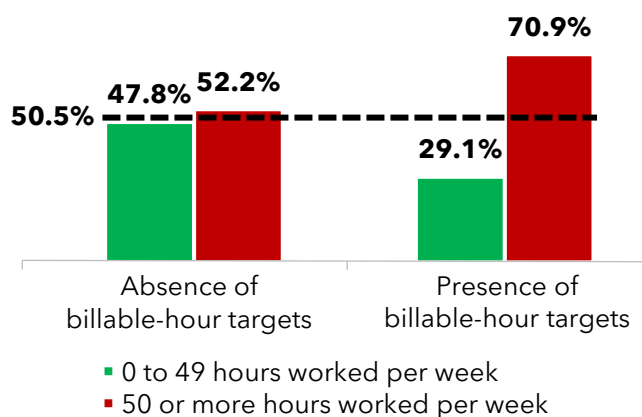
extended periods of work overload — which are long, exhausting, and seemingly impossible to avoid — are linked to burnout.

“there’s long days and extended hours when you’re in trial. So it’s all consuming in some aspect. That’s part of it, that it’s hard to detach sometimes when you’re in something like that for a prolonged period of time. There’s no sort of escape from it.” **AB-5**

To complete their tasks and meet their goals, participating legal professionals reported working long hours, averaging 50.5 hours a week. However, this proportion increases significantly in the presence of billable-hour targets, with approximately 7 out of 10 legal professionals (70.9%) working more than 50 hours a week. Graph 3 illustrates this finding, comparing the average number of hours worked per week in the absence or presence of billable-hour targets. It should be noted that exceeding the threshold of 50 hours a week has been found to compromise mental health, leading to a greater risk of anxiety and depressive symptoms (Virtanen et al., 2011).

Graph 3

Comparison between hours worked by participating legal professionals in Alberta in the absence or presence of billable-hour targets
(*n* = 445)



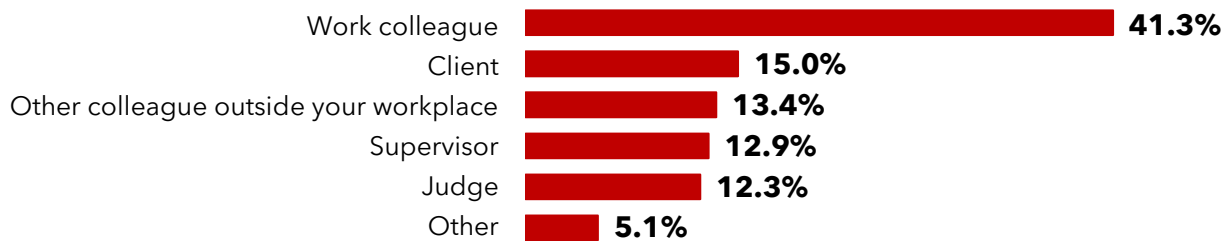
Working longer hours is likely perceived as a coping strategy for dealing with pressure stemming from high workloads. In this regard, nearly 2 out of 3 respondents (64.2%) working in a billable-hour setting feel significant pressure to meet billable-hour targets. Interviews carried out with participating legal professionals working in Alberta underscore that when external situations make billable-hour targets hard to reach, the stress they experience is magnified by a “snowball” effect, as supported by the following quote.

“I want to make that billable target because I know that that’s what the firm is relying on me for. But if in a month I have my kids [and they] are sick two or three days and I have to stay home and or I break my foot, it makes it a little bit harder to meet those targets. And then I get stressed out about the fact that I’m not meeting my targets and, you know, it just snowballs.” **AB-1**

Lastly, it must be recognized that these conditions are conducive to the deterioration of certain work environments. Consequently, work settings in which there is simultaneously a high pressure to perform and an overly high workload can, unfortunately, lead to incivility in the workplace. Study participants in Alberta report that the most frequent source of incivility is work colleagues (41.3%), as shown by Graph 4. This incivility is likely to take various forms, such as being ignored by colleagues or having one’s opinion not considered (Cortina et al., 2001). It goes without saying that this vexatious behaviour may have an additional impact on psychological distress and the development of depressive symptoms (see Table 4).

Graph 4

Proportion of incivility experienced by participating legal professionals in Alberta by source (person committing the incivility in %) (*n* = 507)



PORTRAIT OF WORKPLACE RESOURCES AMONG LEGAL PROFESSIONALS

With respect to resources, Table 3 above shows the proportion of participants in Alberta who perceive the presence of various resources likely to mitigate a variety of constraints (e.g., the above-mentioned high workload) that can affect legal professionals' mental health. The use of skills (96.0%), telework (79.6%), autonomy (65.2%), consistency between personal and organizational values (64.4%), recognition at work (54.1%), and support from one's supervisor (52.9%) emerged as present in a majority of participants who took part in Phase I of the project. Therefore, these would be the main mitigating resources (Cadieux et al., 2022).

Table 3

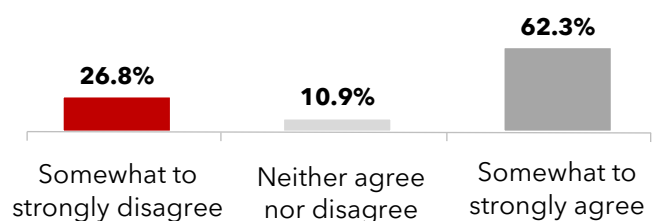
Presence of significant resources in the practice of participating legal professionals in Alberta (in %)

Resources in the practice	Resource presence (in %)	Resources in the practice	Resource presence (in %)
Skill utilization	96.0%	Recognition	54.1%
Telework	79.6%	Support from superior	52.9%
Autonomy	65.2%	Support from colleagues	40.9%
Consistency of values	64.4%	Career opportunities	29.7%

As with the constraints presented above, these percentages indicate the presence of resources among legal professionals who participated in the study, but their magnitude does not reflect a significant correlation with their mental health. Beyond these figures, Graph 5 shows that just over one quarter of professionals (26.8%) somewhat to strongly disagree that their peers or superiors recognize their work.

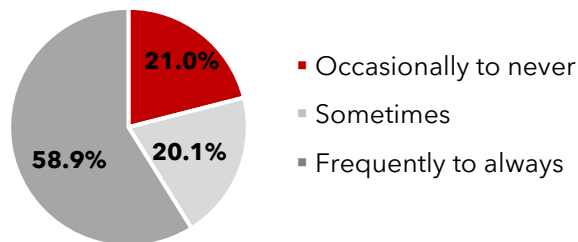
Graph 5

Proportion of participating legal professionals in Alberta who state that their peers and/or supervisors do not hesitate to recognize their work (*n* = 313)



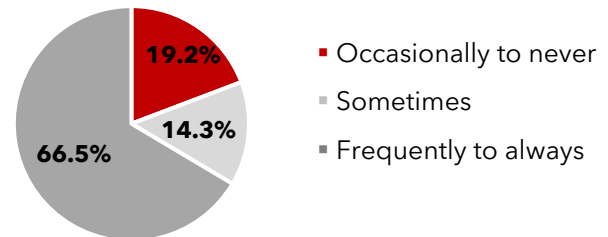
Graph 6

Proportion of participating legal professionals in Alberta who consider that they receive help or support from their colleagues ($n = 607$)



Graph 7

Proportion of participating legal professionals in Alberta who consider that they receive help from their immediate supervisor ($n = 310$)



The same applies to support received from colleagues, with 21.0% of participating legal professionals claiming to receive help or support from colleagues occasionally to never, as shown in Graph 6. Finally, as illustrated in Graph 7, 19.2% of participating legal professionals working in Alberta at the time of Phase I indicated that they frequently to always receive support from their supervisor. That being said, support from colleagues stands out as an important protective factor to counterbalance the psychological demands inherent to work constraints in the practice of law, as shown by the following quote.

“So all of our colleagues’ doors are always open and people are ready to help and willing to assist and give, you know, advice on anything. So, that’s a huge resource in terms of lightening, sort of the mental load of it.” **AB-5**

THE IMPACT OF CONSTRAINTS AND RESOURCES ON THE MENTAL HEALTH OF LEGAL PROFESSIONALS

Following the descriptive portrait painted of the constraints and resources with which legal professionals working in Alberta must contend on a daily basis, our team took an interest in: (1) their respective contribution on participants’ mental health, and (2) the association between these constraints and resources and the mental health indicators measured. We also examined (3) the links between these constraints and resources and certain attitudes towards work, namely lawyers’ commitment to their profession and their intention to leave it. Table 4 on the following page shows the main results obtained.

The results presented in Table 4 highlight the predominant weight of constraints compared with resources in understanding the variation in mental health indicators. Indeed, constraints were perceived as contributing to mental health indicators (i.e., psychological distress, depressive symptoms, anxiety, perceived stress, and burnout) by 32.7% to 57.0% of participants, whereas resources were only perceived as contributing to these same indicators by 0.6% to 1.6% of participants. That being said, the contribution of resources was perceived as slightly higher on workplace attitude indicators (i.e., affective commitment and intention to leave the profession).

Table 4

Contribution of constraints and resources to the mental health of participating legal professionals working in Alberta

Indicators (DV)	Psychological distress	Depressive symptoms	Anxiety	Perceived stress	Burnout	Affective commitment to the profession	Intention to leave the profession
OVERALL CONTRIBUTION OF CONSTRAINTS	32.7%	35.0%	32.8%	42.2%	57.0%	23.6%	28.9%
Quanti. overload	ns	ns	ns	ns	↑↑↑	ns	ns
Quali. overload	ns	ns	ns	↑↑	ns	ns	ns
Emotional demands	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↓↓↓	↑↑↑
Hours worked (≥ 50 h/week)	ns	ns	ns	ns	ns	ns	ns
Lack of resources	↑	ns	↑	ns	ns	↓	ns
Incivility	↑	↑↑	ns	ns	ns	ns	ns
Violence	ns	ns	ns	ns	ns	ns	ns
OVERALL CONTRIBUTION OF WORK-LIFE CONFLICT	9.0%	7.1%	4.1%	9.7%	9.9%	6.0%	8.6%
	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↓↓↓	↑↑↑
OVERALL CONTRIBUTION OF RESOURCES	ns	ns	ns	0.6%	1.6%	6.3%	7.9%
Work autonomy	ns	ns	ns	↓	↓↓↓	ns	↓
Use of skills	ns	↓	ns	ns	ns	↑↑↑	↓↓
Consistency of values	ns	ns	ns	↑↑	ns	ns	↓↓
Support from colleagues	ns	ns	ns	↓↓↓	↓↓↓	↑↑↑	↓↓↓
Telework	ns	ns	ns	ns	↓↓	ns	ns

Note: ns=non-significant contribution considering all factors. (↓) = negative association (↑) = positive association. The analyses presented in this table take into account the contribution of the following control variables: work-life conflict, gender, and number of years of professional experience. The number of arrows indicates the intensity of the correlation observed.

Table 4 reveals a significant correlation between emotional demands and all of the mental health indicators measured. Furthermore, these emotional demands are significantly correlated not only with a decrease in participants' affective commitment to the profession, but also with an increase in their intention to leave the profession. In this regard, 53.9 % of participants in Alberta report that high emotional demands are a part of their work.

Additional constraints not addressed at the outset as part of this theme also emerged. Indeed, a significant correlation was noted between the lack of resources and high levels of psychological distress and anxiety, as was a decrease in affective commitment to the profession. Lastly, work-life conflict is also significantly correlated with all the mental health indicators measured, with a decrease in affective commitment to the profession and with an increase in the intention to leave the profession.

With respect to resources, work autonomy is associated with a decrease in perceived stress, burnout, and the intention to leave the profession. Furthermore, the skill utilization is correlated with a decrease in depressive symptoms, a decrease in the intention to leave the profession, and an increase in affective commitment to the profession. Support from colleagues is also correlated with a decrease in perceived

stress, burnout, and the intention to leave the profession, as well as an increase in affective commitment to the profession. Telework is also correlated with a decrease in burnout. Finally, the consistency between legal professionals' values and those of their workplace is correlated with a decrease in their intention to leave the profession.

Counterintuitively, consistency of values is significantly correlated with an increase in perceived stress. The link is not necessarily a direct one, but derives from a context in which legal professionals whose values are consistent with the work they do are also likely to have to deal with high emotional demands. This significant correlation would therefore mainly relate not to the consistency of values as such, but rather to the context in which this consistency plays out.

From a perspective of improving mental health in the practice of law, the greater contribution of constraints (compared to resources) on the various mental health indicators measured supports the need to take direct action on the constraints experienced in the profession. In fact, based on these results, the improvement of resources would have a lesser impact. Addressing these constraints may require making changes to the highly competitive culture that has dominated the legal profession to date. As a matter of fact, in some respects, this adversarial culture prevents action from being taken on constraints, as explained by this participant.

”

“You don’t want to admit you have a problem because if you have a problem, then [...] it’s kind of like admitting you have a weakness. So in an adversarial system, you never want your opponent to know you have a weak[ness].” **AB-1**

1.2 THEME 2 | WORK-LIFE BALANCE

Authors: Amira Driss, Master's Candidate, Prof. Nathalie Cadieux, Ph.D., CRHA

The second theme that emerged as important for participating legal professionals in Alberta relates to work-life balance.



As presented in the report stemming from Phase I of this project (Cadieux et al., 2022), a variety of factors operate in tandem to increase pressure on the personal lives of legal professionals across Canada. This creates conflict in the different areas of their lives. The main contributing factors include the “lack of support outside of work, [...] parenthood, and even single parenthood, [...] work overload, long working hours, lack of flexibility in how work is organized, pressure induced by performance targets” in the practice of law across Canada. The practice of law in Alberta is no exception. Billable hours, long working hours, and urgency in the files are noted in a number of quotes reaffirming that the conflict and the tension created by having to balance professional responsibilities with other personal and individual needs are very much a reality in this profession. The following quotes support this finding.

“[...] But we also expect you to have eighteen hundred billable hours in a year [...] those two things are not compatible. Eighteen hundred billable hours requires you to work eight a.m. to eight p.m. and sometimes (to) come in all weekends, you know. So, I would say that the profession is aware of mental health and wellness, but I don't think that a lot of them practise what they preach.” **AB-1**

“It's a very stressful profession, and the law firms that would come in to recruit would be like: «oh, our firm has a great work-life balance». But that was all lip service.” **AB-1**

Table 5 on the following page provides an overview of the proportions of participating legal professionals in Alberta either experiencing or not experiencing work-life conflict by selected characteristics. These results show that work-life conflict is widespread among participants regardless of whether or not they have children. Indeed, the variation between participants who have children (54.1%) and those who don't (54.4%) is not statistically significant.

Among participating legal professionals experiencing work-life conflict, the highest rates occur among legal professionals in Alberta who (1) are aged 34 or under (70.3%), (2) have billable-hour targets to meet (67.7%), (3) have difficulty setting limits (low assertiveness) (69.4%), and (4) have less than 10 years of experience (67.9%).

Conversely, the participating legal professionals least likely to experience work-life conflict are those who (1) are aged 50 and over (58.5%), (2) do not have billable-hour targets to meet (59.2%), (3) are able to set limits (high assertiveness) (78.5%), (4) are able to psychologically detach from work (74.8%), and (5) have more than 10 years of experience (54.2%).

On the basis of the interviews conducted, several factors emerge as contributing to discrepancies observed in terms of work-life conflict. These include the area of practice, support outside of work, and job flexibility.

Table 5

Proportions of participating legal professionals in Alberta experiencing or not experiencing work-life conflict by selected characteristics¹

		Absence work-life conflict	Presence work-life conflict
Global	All	45.7%	54.3%
Gender²	Women	37.9%	62.1%
	Men	50.5%	49.5%
Age	34 or under	29.7%	70.3%
	34 to 49	42.4%	57.6%
	50 and over	58.5%	41.5%
Work experience	0 to 9 years	32.1%	67.9%
	10 years and over	54.2%	45.8%
Dependent children	No	45.6%	54.4%
	Yes	45.9%	54.1%
Work setting	Public & NFPO	44.2%	55.8%
	Private practice	43.2%	56.8%
Billable-hour targets	No	59.2%	40.8%
	Yes	32.3%	67.7%
Working with clients	No	48.4%	51.6%
	Yes	45.5%	54.5%
Assertiveness	Poor ability	30.6%	69.4%
	Strong ability	78.5%	21.5%
Psychological detachment	Poor ability to psychologically detach from work	39.9%	60.1%
	Ability to psychologically detach from work	74.8%	25.2%
Profession	Lawyer	42.4%	57.6%
	Articling student	50.0%	50.0%

WORK-LIFE CONFLICT THE SITUATION FOR WOMEN LAWYERS

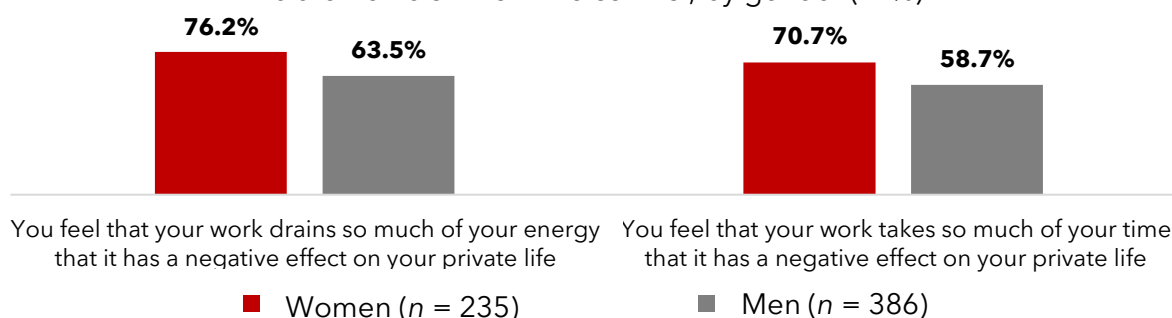
In light of these analyses, one can clearly see that work-life conflict is prevalent among women. Graph 8 details the proportion of participating legal professionals in Alberta who agreed with statements on work-life conflict, by gender. It shows that a vast majority of women consider that their work takes up so much time and energy that it has a negative impact on their personal life. Although the majority of men interviewed also reported this feeling, they are proportionally fewer in number compared to women.

¹In Table 5, each highlighted proportion represents a significant proportion for that variable. Colours have been used to highlight the most important distinctions. Green means work-life conflict is absent and red means that work-life conflict is present.

² Given the small sample of genders other than woman and man, only these two genders are compared.

This is consistent with other studies reporting that women encounter significant obstacles in balancing their professional life and family responsibilities (Cadieux et al., 2019; Guertin et al., 2023).

Graph 8
Proportion of participating legal professionals in Alberta who agreed or strongly agreed with statements on work-life conflict, by gender (in %)



The quotes presented in the following box show the difference in realities experienced by participating men and women interviewed in Alberta. What emerges is that women not only experience numerous struggles throughout the various stages of their life, but that they also experience a great deal of stress. In particular, women feel conflicted by the desire to fully experience motherhood and family life at the risk of encountering obstacles or setbacks in their professional lives (Hewlett, 2002). This conflict is well documented in the literature and is notably described by economist Sylvia Ann Hewlett as being part of the myth of “having it all” (Hewlett, 2002). In addition, this conflict between family and career also contributes to women’s psychological distress because it entails an added load, owing to family responsibilities. A higher proportion of legal professionals must fulfill these requirements on top of already high professional demands made upon them (Gingues, 2020; Piccinelli & Wilkinson, 2000). Finally, it should be noted that this conflict is experienced by legal professionals whether or not they have children. That being said, those who do have children experience an additional significant challenge that further contributes to work-life conflict.

“

“I think that in some ways I put too much focus on my family, or more than my spouse does, which I think is a common problem for women. And so, I think sometimes I feel like my work suffers more than his does.” **AB-1**

“I brought this child into my life to make him the best human being he can be. So, I made the difficult decision, especially considering how hard I fought for my career. I made a very difficult decision to retire at 55. The financial loss is huge. The loss of self-esteem is a little bit too, because again, I feel I fought a lot harder than most to get where I got, which is not just this part of the profession.” **AB-3**

“[...] more and more people, especially women, unfortunately, having issues with how I’m going to reconcile career and maternity, either difficulty getting pregnant generally attributed to stress because they left it later. Difficulty balancing kids and job work, feeling the like, oh my goodness, how’s my marriage going to survive or my relationship because I’m always working? So even the young, the newer ones that we’re single, having difficulties engaging in relationships because of the profession.” **AB-3**

1.3 THEME 3 | COPING STRATEGIES AND LIFESTYLE

Authors: Marc-André Bélanger, M.Sc., Prof. Nathalie Cadieux, Ph.D., CRHA

When workers encounter a workplace that includes responsibilities likely to lead to an accumulation of stress and a high workload, their lifestyle habits are not always given the priority they deserve. This finding is inescapable and widespread among participating legal professionals working in Alberta. These lifestyle-related decisions may have serious consequences for legal professionals' physical health and psychological well-being. Consequently, to ensure the sustainability of their practice, legal professionals must implement effective strategies for coping with stress and reducing its intensity. However, this does not mean that reducing the stress experienced within the legal community comes down to personal responsibility. Workplaces must also implement strategies to ensure the sustainability of legal practice by adopting practices that promote legal professionals' health. Participating legal professionals working in Alberta brought up a number of solutions that they use on a daily basis to reduce the stress they feel or to guard against certain stressors, which are broken down below.

HEALTH AND STRESS IN LEGAL PROFESSIONALS WORKING IN ALBERTA

The following quotes focus on the perception of health among participating legal professionals working in Alberta.

“First of all, it varies dramatically from individual to individual. But I think [...] generally on average, people are stressed and overworked, and people do not pay enough attention, don't take enough time for things like exercise and sleep and proper nutrition. I see what people eat when they're working late at night, and I see how little thought they put into their meal preparation when they're having to eat out of the restaurants downtown for two or three meals a day. So, I would say that on average, there's not enough emphasis placed on either physical or mental health by people in our profession in general.” **AB-4**

“I think that lawyers in general are not a very healthy group physically. They are generally out of shape, back pain, hip pain. Now that people are spending more and more hours at the computer or at the Court House, twisted in those desks that are not ergonomically correct, [...], people are not in shape because the profession is so demanding that people find it hard to maintain a regular schedule workout routine. In terms of mental health, unfortunately, what I've seen throughout the decades that I practised is that only now are lawyers beginning to accept some of their frailties as humans [...]. Whenever something is happening to us physically or emotionally or on the family front, or that affects our ability to practise and little or no accommodations were ever made, it was seen as a sign of weakness. And people would self-medicate, with medications themselves, some sleeping pills, antidepressants, constant use of Advil, Tylenol. People kept bottles in their offices and more extreme measures, such as alcohol and drugs as well.” **AB-3**

These quotes illustrate that the nature of the work, which is mentally demanding and requires working hours that go well beyond regular business hours, makes it difficult to maintain healthy eating habits. This is due in large part to the lack of time to prepare healthy meals and to go grocery shopping. As a result, it is not unusual to see legal professionals eating in restaurants several times a week.

The lack of free time during the week also interferes with legal professionals' ability to maintain a healthy physical fitness routine and compromises sleep quality. Additionally, participating legal professionals

reported working long hours seated on courthouse benches or in poorly adjusted chairs in front of a computer—neither being ergonomically sound—which is likely, over time, to result in physical problems such as back or hip pain.

Some participants also stressed the importance of the impact of accumulated stress on the body.

“Not everyone’s body will conceive when you’re under an extreme amount of stress, and your body just is like, no. And I’ve seen where there have been colleagues who literally have to take six months off work to get the stress levels down.” **AB-2**

“You’ve dedicated so much mental and emotional energy to that in your workday that it takes you a couple of hours just to put that part of your day away and be able to then turn and focus on something else. [...] If your work has taken so much of your energy that you need, almost it’s like a detoxification process for a couple of hours. You need to cleanse out everything and you need to rest up. [...] if it’s been too draining and too stressful, then the life part of it suffers because you just feel like you’re recuperating, you’re recovering from your work hours in your off-work hours.” **AB-4**

Moreover, the time needed to recover seems to vary from one participant to the next. For example, one of the participants pointed out that some legal professionals need longer periods of time to decrease their levels of felt stress. For others, a few hours of stress “detoxification” would suffice to decrease the effects of stress and help them regain their energy. This highlights the importance of recovery time and strategies for eliminating accumulated stress in the body created by a heavy workload.

UNHEALTHY STRATEGIES FOR COPING WITH STRESS

Alcohol consumption

Table 6 shows that nearly one quarter of legal professionals (23.8%) working in Alberta consume alcohol four or more times a week. This proportion is slightly lower compared to participating legal professionals in neighbouring provinces (26.2%) and participating Canadian legal professionals (25.2%) in general.

Table 6
Proportion of participating legal professionals in Alberta who consume alcohol 4 or more times a week, by main place of practice


	Alberta	Other western provinces	Central Canada	Atlantic Provinces	Territories
4 or more times per week	23.8%	26.2%	25.1%	22.8%	27.3%

Table 7 on the following page shows that in total, 20.8% (15.8% + 5.0%) of legal professionals working in Alberta have a high-risk alcohol consumption profile; this proportion is nearly identical to that reported in neighbouring provinces (14.4% + 6.2% = 20.6%).

Table 7

Proportion of participating legal professionals in Alberta by type of alcohol consumption and primary place of legal practice

	Alberta	Other western provinces
Low-risk consumption (AUDIT-10 score < 8/40)	79.2%	79.3%
Hazardous or harmful consumption (high-risk) (AUDIT-10 score ≥ 8/40)	15.8%	14.4%
Moderate to severe alcohol use disorder (high-risk) (AUDIT-10 score ≥ 15/40)	5.0%	6.2%

The analysis of alcohol consumption among legal professionals based on two distinct profiles, i.e., low-risk consumption (score < 8) and high-risk consumption (score ≥ 8) based on certain respondent characteristics yields some interesting results. A score of 8 or over on the Alcohol Use Disorders Identification (AUDIT-10) test suggests alcohol consumption habits that are hazardous or harmful (Babor et al., 2001). A score of 15 or over indicates the likelihood of alcohol dependence. Table 8 provides an overview. In terms of individual characteristics, participating legal professionals with a “high-risk” alcohol consumption profile are significantly more likely to: (1) be men (24.8%), (2) be younger, i.e., 34 or under (29.0%), and (3) have less than 10 years of experience in the practice of law (32.0%). These results are consistent to the extent that more experienced legal professionals are likely to be more resilient to workplace stress and less exposed to other stressors in their personal lives, including financial responsibilities (Azeem et al., 2020).

These results also show that participating legal professionals with a “high-risk” alcohol consumption profile are significantly more likely to: (4) work in private practice (23.6%), (5) have billable-hour targets (29.6%), and (6) work with clients (21.9%). Conversely, legal professionals with the ability to psychologically detach themselves from work were significantly less likely to present a high-risk alcohol consumption profile (9.7%).

Table 8

Proportions of participating legal professionals in Alberta with low-risk and high-risk consumption profiles according to certain professional characteristics

		Low-risk consumption (AUDIT-10 score < 8/40)	High-risk consumption (AUDIT-10 score ≥ 8/40)
Global	All	79.3%	20.8%
Gender³	Women	85.6%	14.4%
	Men	75.2%	24.8%
Age	34 and under	71.0%	29.0%
	34 to 49	76.4%	23.6%
	50 and over	86.5%	13.5%
Work experience	0 to 9 years	68.0%	32.0%
	10 years and over	84.9%	15.1%
Work setting	Public & NFPO	94.8%	5.2%
	Private practice	76.4%	23.6%

³ Given the small sample of genders other than woman and man, only these two genders are compared.

		Low-risk consumption (AUDIT-10 score < 8/40)	High-risk consumption (AUDIT-10 score ≥ 8/40)
Billable-hour targets	No	84.2%	15.8%
	Yes	70.4%	29.6%
Working with clients	No	90.3%	9.7%
	Yes	78.1%	21.9%
Assertiveness	Poor ability to set limits	78.0%	22.0%
	Strong ability to set limits	81.8%	18.2%
Psychological detachment	Poor ability to psychologically detach from work	77.2%	22.8%
	Strong ability to psychologically detach from work	90.3%	9.7%

Drug use

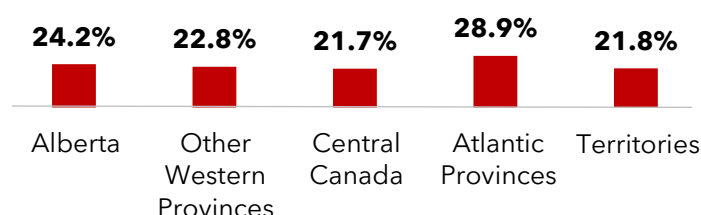
As illustrated in Graph 9, nearly one quarter (24.2%) of legal professionals working in Alberta had used drugs for non-medical purposes in the 12 months preceding the national survey (Cadieux et al., 2022). This proportion is relatively comparable to/not statistically different from those observed in the other Western provinces as well as in other regions across Canada.

Several of the coping strategies for dealing with stress identified so far are likely to give rise to other problems, such as developing substance addictions. For example, during the interviews, it emerged that some legal professionals chose self-medicating with substances such as sedatives, antidepressants, or painkillers to cope with stress. Although these strategies are likely to reduce stress-related symptoms temporarily, they can also exacerbate them. This highlights the importance of taking ownership of healthy coping strategies to deal with stress in order to act on the causes of stress experienced at work.

HEALTHY COPING STRATEGIES

Participants interviewed in Alberta brought up a number of strategies that they use on a daily basis to decrease the stress they experience or to guard against certain stressors. These strategies are presented below.

Graph 9
Proportion of legal professionals working in Alberta who have used drugs other than medications administered for medical purposes in the 12 months preceding the survey



Setting limits: one day at a time

The importance of being assertive and setting limits—be it with colleagues or clients—in order to carve out time to disconnect from work for health reasons was raised by several participants. For example, some legal professionals mentioned setting aside one day a week to focus on wellness and taking that day to deal with emergencies when they crop up. That day might also be used to visit a fitness centre or engage in other physical activities or exercises that promote wellness. The following participant explained their habits in this respect.

“I don’t work on Fridays. If I do any work, it’s very minimal and I’m at home. I’m not in the office unless I have to be. [...] I just tell the court, I don’t work on Fridays, I’m closed on Fridays, and I remind them about the Law Society talking about wellness and code of conduct, talking about wellness, and that this is me being well and doing things that they need to do for myself to be well. And so, I specifically schedule wellness things on Friday. I’ll go to the gym, I’ll go kayaking, I’ll go for a walk, I’ll do wellness things. And so, I’m not available, and I had to be strong with clients and let them know that if that’s an issue, I have no problems recommending another lawyer for them. [...] it doesn’t always end out perfect, sometimes with the Friday offs, just because urgent matters do happen on files, and you’ll find yourself urgently in court on a Friday. [...] those things, those are all a part of wellness for me. You surely have laundry done, and to prepare a meal instead of trying to find something quick because my time is suppressed. That’s a part of wellness for me, not feeling scheduled.” **AB-2**

As a result, having a day that is not fully booked and that includes downtime allows legal professionals to complete a variety of personal tasks, including preparing healthy meals, which is an important part of maintaining a healthy lifestyle.

Claiming the right to disconnect

In recent years, technologies have developed exponentially, encouraging a constant connectivity that may create increased pressure to always be available. In the absence of the right to disconnect, it is important that professionals set their own limits and communicate them to the individuals with whom they interact on a daily basis in their workplace. For certain legal professionals, this may involve not answering emails outside of regular business hours or setting limits with clients, as illustrated by the following two quotes.

“I’m pretty good... I have actually gotten... I am much better than many of my colleagues in that I don’t answer or check work email in the evenings or on the weekend.” **AB-1**



“I think the only way that the practice of law can actually be sustainable in a healthy way is for lawyers to make boundaries and say, OK, you are my client, but it is now Saturday at noon. I have to. I am now prioritizing whether it’s my family, my friends, my exercise, my dogs, for goodness sakes, my own mental health.” **AB-4**

Relieving pressure: one break at a time

Another participant mentioned that taking an entire day off may cause delays, thus creating even more stress. However, they also pointed out that they took breaks regularly throughout the day. In the midst

of the action and the many demands of the day, it is easy to forget to take time to ease the pressure. However, the participant in question reported taking various steps to remind themselves to do so, including the use of visual reminders (e.g., Post-it sticky notes), as indicated by the following quote.

"I tend to have little sticky notes in various places around my office, which kind of just remind me to stop and decompress, I have one that says: 'No one can drive you crazy unless you hand them the keys,' so, you know, just like little things like that, and so every once in a while, those help me to not respond to things right away or reminding myself when an email comes in that I don't have to respond to it right away or if I'm working on something, I've gotten much better at reminding myself in the last few days to turn off my email, because if it's that urgent, they can call the firm." **AB-1**

On top of improving concentration and productivity, regular breaks also prevent musculoskeletal disorders (Stock et al., 2018), improve overall health at work (Taylor, 2005), and tend to reduce felt stress (Fritz et al., 2013). Beyond their effects on psychological and physical health, regular breaks are also likely to stimulate creativity and reinforce social relationships at work (Fritz et al., 2013). As such, from a prevention perspective, they constitute an effective strategy.

Taking the time to relieve stress

Another participant reported using their personal time to exercise, to get out into nature, and to practise deep breathing. They also took advantage of this time to see people they enjoy and to laugh as much as possible to relieve stress. These strategies also helped them "survive" in the profession without developing mental health or substance abuse problems, as indicated in the following quote.

"I use my personal time to exercise, to get out into nature, to do some deep breathing. [...] I spend my time with people I enjoy so that I laugh as much as possible. And I think if I didn't do that in the off work hours, I would never have survived relatively stressful career. As long as I have, and I know, as I say, colleagues of mine have not had that greater balance and they do not practise law anymore, so... And I've also I've had colleagues who have died reasonably young. And so, I like to think that the time I put in in my off hours has allowed me to survive literally the practice of law without addiction issues, mental health issues, suicide attempts, any of those sorts of things." **AB-4**

Whatever form it takes, assertiveness (i.e., the ability to set limits) is important for the health of legal professionals and is known to be correlated with higher psychological wellness at work (Ates, 2016). It reduces the feeling of work intruding into their personal life and can encourage their growth outside of the workplace and the maintenance of friendships or family relationships by enabling them to take the time to disconnect (Pons, 2023; Sonnetag, 2012). This helps people maintain a strong network of non-work related contacts to whom they can reach out when they are experiencing difficulties in the workplace or a period of intense stress, which in turn helps to guard against isolation. Conversely, when work is all-consuming, it leaves little time or energy for legal professionals to invest in their interpersonal relationships. Yet, when significant difficulties are experienced in the workplace, the natural reflex to separate oneself from them (Davis, 2005) is hindered when one's personal network is underdeveloped. As a result, legal professionals find themselves isolated, which may be linked to an increased risk of depression or anxiety (Ziggi et al., 2020). Assertiveness should therefore be considered an essential component of mental wellness from a prevention perspective.

1.4 SOLUTIONS SUGGESTED BY LEGAL PROFESSIONALS: THE PATH FORWARD FOR THE PROFESSION

Author: Prof. Nathalie Cadieux, Ph.D., CRHA

The interviews conducted with participating legal professionals working in Alberta allowed different solutions to emerge; these are broken down into two focus areas: Educational Content and Mechanisms (Focus 1) and Work Organization (Focus 2).

FOCUS 1: EDUCATIONAL CONTENT AND MECHANISMS

The first focus area that emerged from interviews conducted with participating legal professionals in Alberta relates to educational content and mechanisms.

Include important new health-related competencies in university curricula

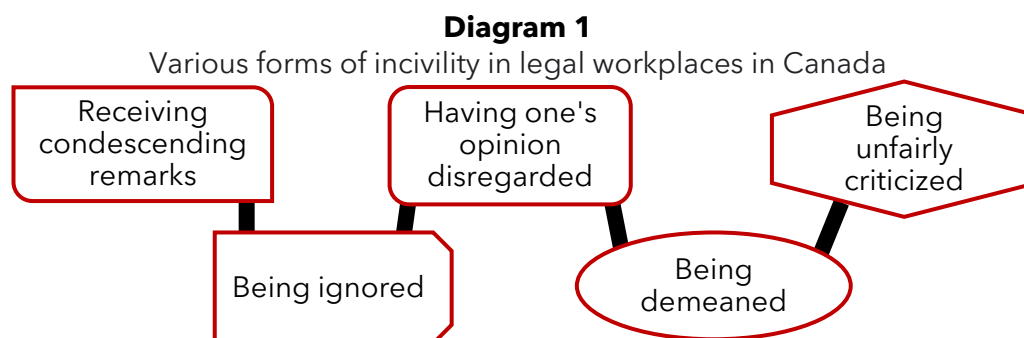
Consistent with the results presented in the preceding sections, certain essential competencies that promote sustainable legal working environments, as well as the health of legal professionals, should be included in university curricula. More specifically, these competencies relate to ethics and the importance of civility in professional environments. The following quote is from a participant who expressed that including such training would contribute to improving not only the health of legal professionals, but also the legal profession itself.

“

“I think we need to start in law school. We need to start ethics being a mandatory course for three years in law school. That will improve the performance of all lawyers, that will improve the profession as a whole, you know. And then within those ethics’ courses, you start addressing equity, you start addressing civility, you start addressing... dealing with... you know, different people [...]. And this way you are equipping the profession to be better from the get-go. And you eliminate a number of things. [...] It should not be a professional responsibility, it should not be a course you take optionally, or you take for like six months in your last year of law. It should be something fundamental to training the professionals.” **AB-3**

Raise awareness and reinforce education to counteract incivility in the practice of law

Incivility and violence in the legal workplaces has proven to be a widespread phenomenon. In fact, analyses carried out using data from Phase I of this project (Cadieux et al., 2022) reveal that 12.7% of participating legal professionals in Alberta have experienced incivility frequently or very frequently. This proportion is even higher among certain professionals from diverse backgrounds as well as among certain paralegals (Cadieux et al., 2022). Diagram 1 illustrates the various forms that incivility can take in the workplace.



One of the legal professionals interviewed in Alberta was critical of the impact of awareness measures currently in place, as illustrated by the following quote.

“Yeah, it’s interesting because our law society does a lot of and there are a lot of publications and programs we can take where they talk about civility among counsel. We’re all supposed to treat each other in a very civil matter where everybody’s supposed to be, you know, professional and treat each other with respect. But I find that that has not been effective. And I also find that they haven’t, to my knowledge, provided the same training or direction to the bench, to the judges. The first source of incivility, generally speaking, is actually the judges speaking to the counsel in a less than respectful way. And as a result, it generates a loss of respect between counsel. So, one of the things the law society I think should be doing is making sure that it starts at the top and the judges treat all of the counsel that come in front of them in a respectful manner. And then it will trickle down and there will be fewer interpersonal, disrespectful exchanges between counsel.” **AB-4**

This participant also highlighted the importance of increasing awareness among a wider range of legal professionals regarding this pervasive problem for which everyone in the legal community is ultimately responsible. This means raising awareness among members of the bench as well.

Implement personalized professional development plans

Training provided or required by the Law Society of Alberta does not always align with the needs of legal professionals and their areas of practice. In this regard, one participating legal professional reported that a continuing education plan that is consistent with their area of practice would enable them to better handle stress that comes up in their work, as indicated by the quote opposite.

On top of promoting competency and productivity, personalized training plans that are consistent with legal professionals’ needs are likely to increase their commitment to the profession and motivation to grow professionally, while also making it easier for them to adjust to changes impacting the legal profession.

“I know that the Law Society is working on a new continuing education program for us. [...] But a lot of the times it’s frustrating because it’s not specific to my area of practice, and I know that a continuing education plan cannot cater to everybody. But it’s frankly, a lot of the things they want us to do doesn’t apply to us, so it’s not super helpful. So maybe some more flexibility from the Law Society to say about what we can do would be useful [...]” **AB-5**

Promote mentorship of women by women

While more and more women are joining the legal profession across the country, a predominantly male culture remains pervasive in legal working environments (Guertin, Cadieux & Gingués, 2023). Against this backdrop, it is sometimes difficult for women lawyers to establish balance. In this regard, mentoring stands out as an effective strategy for facilitating the integration and retention of women (Wallace, 2001), particularly in legal environments (Nguyen, 2018). Mentoring should therefore be prioritized, as underlined by one of the participants in the following quote.

“Women lawyers who are more senior certainly have advice for the junior ones.” **AB-5**

Moreover, it is worth noting that among the legal professionals from Phase I of this project who were able to benefit from mentorship opportunities, the majority of them were women. Those who made a commitment to mentor other women were likely to be perceived as positive role models, in particular by showing other women that it is possible to achieve leadership positions and a successful legal career despite the persistence of certain inequalities. By sharing their experience, women mentors promote diversity and inclusion, act as emotional and moral support, and provide young mentees with a safe space in which to discuss the challenges related to their professional practice. Mentorship of women by women can also help mentees develop effective strategies to face the challenges encountered in their practice and address issues specific to women, such as simultaneously managing motherhood and a career.

Recognize the value of diversified experience and training in overall legal training

One of the participants interviewed in Alberta underlined the importance of recognizing the value of diversified training and professional experience accumulated by final year law students throughout their academic career. When it comes to work teams, a diversity of academic paths is often synonymous with creativity and innovation, two significant tools that can be used when facing challenges related to the need to perform and compete (Dawson, 2012). Diverse experience and training are also components that make it easier to make decisions and are often synonymous with increased adaptability and flexibility (Horwitz & Horwitz, 2007). This is further expressed in the following quote.

“I think we could still do better on recognizing experiences beyond academics and obviously all the students have gone through law school and the articling program is still very traditional in its recruitment. And looking at marks and the interview and the cover letter, right? I believe we can do better in that regard because not everybody is going to come across well. Let’s just say maybe you keep hiring the same people who do well in those areas, but that may not be casting the net wide enough to recognize some of the achievements that other students have done. [...] Well, I think... well, in the profession, by the time they get to the profession, it’s already gone through a lot of hoops, so perhaps that needs to start earlier in the law school admission sort of area. And just expanding the search beyond just academics and LSAT or whatever they do to make sure that we do attract students who come with the different experiences.” **AB-5**

FOCUS 2: WORK ORGANIZATION

Work organization is an essential component for understanding and preventing issues related to legal professionals’ mental and physical health. For instance, the benefits that legal professionals derive from

working as part of a team rather than on their own, in isolation, are undisputable. In that regard, participating legal professionals working in Alberta emphasized two important strategies for improving work organization, as further examined below.

Diversify assignments

When legal professionals are exposed to significant and recurrent stressors, diversifying the type of assignments they undertake is likely to reduce the weight of those stressors by decreasing the degree of exposure from one assignment to the next. This strategy has proven to be particularly useful for certain stressors, such as high emotional demands. In areas of legal practice that are particularly exposed to these demands, the risk of developing vicarious trauma is very present (Otey, 2014). Recurrent exposure to high emotional demands combined with other risk factors also strongly correlates with a higher risk of burnout (Tsai et al., 2009).

Moreover, this strategy was specifically highlighted by one of the participants interviewed during Phase II of this project. The participant in question mentioned requesting assignments that were different from those they would normally receive. In criminal practice and, in particular, in cases dealing with child abuse, the simple act of occasionally diversifying assignments was identified as a means of decreasing exposure to harsh images associated with these kinds of files, as one participant expressed in the following quote.

“

“I also asked for assignments that are not specific to my area so that I can sort of do something different, even though we’re so specialized. So, from time to time, I’ll have one or two files that do have nothing to do with online child abuse. And that’s a refreshing change, even though that’s, you know, different kinds of victims involved. But for me, that’s important for resilience and the longevity of practicing just to keep that option open, that I can do other things and be and contribute to my workplace in other ways other than just handling my files.” **AB-5**

Assign files fairly

When it comes to the organization of work, fairness and the perception of fairness are fundamental. In fact, fairness has been found to be an essential condition for the perception of justice, for work satisfaction, for commitment towards an organization, as well as for several organizational behaviours (Colquitt et al., 2001). As such, it is very important to protect the perception of fairness, which is likely to be affected by a variety of factors, including interpersonal relationships in the workplace. Consistent with these findings, one of the participating legal professionals working in Alberta was keen to emphasize the importance of ensuring a certain fairness in the assignment of files to lawyers.

“We can try to make sure that we provide the opportunities equally, but unless you have a methodical way of assigning Junior to a bigger file, for example, it will always have a human factor into who gets those better assignments.” **AB-5**

”

Management practices that promote the perception of fairness, including transparent rules for which all professionals in the organization share a common understanding, are very important. On top of reinforcing commitment and reducing the intention to leave the profession—which, by extension, reduces the turnover rate—these rules are also beneficial to people’s health (Ansani, 2011).

1.5 CURRENT INITIATIVES TO SUPPORT A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN ALBERTA

Authors: Marc-André Bélanger, M.Sc., Nathalie Cadieux, Ph.D., CRHA

In the report issued following Phase I of this study, which concluded in 2022 (Cadieux et al., 2022), 10 targeted recommendations and 35 secondary recommendations were presented to the various stakeholders in the Canadian legal community (law societies and bar associations, academic institutions, assistance programs, organizations, etc.). Rooted in the data collected, these recommendations aim to reduce the prevalence of measured health issues (e.g., the prevalence of depressive symptoms), to tackle the source determinants of these issues (risk factors and protective factors, including stigma) and to maximize the mental health support and resources available to legal professionals.

A number of initiatives that align with the recommendations presented in Cadieux et al. (2022) previously existed or were implemented following the publication of the Phase I report. More specifically, our team identified 13 different major initiatives that align with seven recommendations. Table 9 presents each of these initiatives and compares them to the recommendations made by Cadieux et al. (2022). The table shows that certain proposed initiatives are in line with the needs expressed by participating legal professionals in Alberta concerning the significance of improving the support available to legal professionals in their practice.

The initiatives listed below are just a few examples of the most important ones being implemented by the Law Society of Alberta (LSA) and may not represent all the actions currently being taken to improve the health and wellness of legal professionals within their practice. They reflect the initiatives in place at the time this report was drafted. It should also be noted that Table 9 does not include initiatives that may have been implemented by private or public organizations within the province or by various associations or interest groups, which were not accessible to the research team. As such, the initiatives examined are limited to those brought to the attention of our research team by the partner organizations involved, i.e., the Federation of Law Societies of Canada, the Canadian Bar Association, and the Law Society of Alberta.

Table 9

Health and wellness initiatives by the Law Society of Alberta for legal professionals and related recommendations from the Phase I report by Cadieux et al. (2022)

Initiative	Initiative-related recommendation(s) from Phase I
(i) Launched an articling student placement program in February 2022 to help students in untenable or dangerous workplace situations due to harassment or discrimination leave their current position and secure an alternative one.	2) Improve supports and guidance available at entry to the profession.
(ii) Promoting professional training activities focused on wellness.	3) Improve the continuing professional development (CPD); 5) Implement actions aimed at destigmatizing mental health issues in the legal profession.

Initiative	Initiative-related recommendation(s) from Phase I
(iii) Including wellness as an essential area of competence in the professional development profile of legal professionals working in Alberta.	8) Consider the health of legal professionals as integral to legal practice and the justice system.
(iv) In partnership with the Alberta Lawyers' Assistance Society (ASSIST), the Alberta Lawyers Indemnity Association, and the Canadian Bar Association, Alberta Division, the Law Society of Alberta (LSA) co-organized a virtual event that included an overview of the results of the recent national survey of Cadieux et al. (2022) on the health and wellness of Canadian legal professionals as well as discussions with legal professionals who shared their experiences in dealing with mental health challenges and efforts to reduce the stigma surrounding these challenges within the legal profession. It also included sessions with mental health professionals who provided information, tools, and practical resources that could be taken away from the event and incorporated into lawyers' daily lives and legal practices.	<p>5) Implement actions aimed at destigmatizing mental health issues in the legal profession;</p> <p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources;</p> <p>8) Consider the health of legal professionals as integral to legal practice and the justice system.</p>
(v) The Law Society of Alberta created the Office of the Equity Ombudsperson (OEO) to provide confidential assistance to lawyers, articling students, and support staff working in the legal profession on issues of discrimination and harassment on behalf of lawyers. The goal of the OEO is to inform individuals working in law offices about workplace discrimination and harassment and to help them solve problems stemming from these issues.	6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
(vi) The "My Experience" project, through which people can share lived experience with respect to stereotypes and discrimination, including systemic discrimination experienced within the justice system, within the Law Society of Alberta, or within the profession.	7) Promote diversity in the profession and revise practices, policies and procedures that may include or create discriminatory biases.
(vii) The Law Society of Alberta worked with the Legal Education Society of Alberta to design a mandatory course intended for articling principals, which was launched in February 2022. The objectives of this course are to establish baseline criteria for principals, to improve the consistency of mentorship and of feedback received by articling students, and to clarify the relationship between principals and students.	2) Improve supports and guidance available at entry to the profession.

Initiative	Initiative-related recommendation(s) from Phase I
(viii) The Innovation Sandbox, managed by the Law Society's Innovating Regulation Group (IRG), aims to explore how the Law Society of Alberta can provide greater flexibility in its current regulatory framework and minimize regulatory barriers, in order to encourage and promote innovation in the delivery of legal services in Alberta. The IRG consists of senior counsel and policy, risk, technology, and compliance professionals within the Law Society.	4) Where relevant, evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health.
(ix) Since April 2021, lawyers in Alberta have been able to take an Indigenous cultural competency course titled <i>"The Path (Law Society of Alberta) - Your Journey Through Indigenous Canada"</i> . This educational course is designed to help Canadians improve their understanding of Indigenous culture in the Canadian context. In particular, the topics addressed deal with cultural and historical differences, the changes in the relationship between Canada and Indigenous peoples, social and economic success stories, stories of reconciliation and resilience, intercultural understanding, and communication in the workplace.	7) Promote diversity within the profession and review practices, policies and procedures that may include or create discriminatory biases.
(x) The Law Society offers a variety of programs to support lawyers in providing legal services to clients and developing their own legal career. Program offerings include long-term mentor-mentee matching, one-time mentor and mentee sessions, in-person group mentorship sessions, and a specific program to match Indigenous lawyers with Indigenous law students and articling students. A service linking lawyers or articling students with more experienced counsel to answer one-off substantive law inquiries is also available.	2) Improve the support and guidance available at entry to the profession.
(xi) Resources specific to wellness are available under the LSA website's Key Resources tab. These resources deal with various wellness-related topics that are relevant to the practice of law. They include content developed in partnership with ASSIST.	6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
(xii) The Law Society of Alberta's working group on accessibility started work in 2023 to remove barriers related to disabilities, including mental health problems, within the organization. This work is being led by a consulting company who has expertise in this area, is being overseen by the Equity, Diversity and Inclusion Committee, and is expected to be implemented over the next three to five years.	7) Promote diversity within the profession and review practices, policies and procedures that may include or create discriminatory biases; 5) Implement actions aimed at destigmatizing mental health issues in the legal profession.

Initiative	Initiative-related recommendation(s) from Phase I
(xiii) In 2023, all questions related to mental health in all membership applications were removed.	5) Implement actions aimed at destigmatizing mental health issues in the legal profession.

Additional initiatives—including staff training, continuing professional development with a focus on wellness-related training, funding ASSIST services and support, mentorship, online resources and documents published by the Law Society of Alberta—are already common practice in the province. Additionally, a 2024-2026 strategic plan prioritizing initiatives that improve wellness in the profession was recently published. In the near future, it is expected that other committees will be tasked with addressing priorities related to mental health and wellness in the disciplinary and other processes, including those described in Phase I of the study report on health and wellness among legal professionals.

1.6 TARGETED RECOMMENDATIONS | PHASE II

Authors: Nathalie Cadieux, Ph.D., CRHA, Marc-André Bélanger, M.Sc.

The Law Society of Alberta is particularly committed to a number of actions intended to support the wellness of legal professionals working in the province in order to better protect the public. Among these commitments, the incorporation of wellness as a key component of the Law Society of Alberta's competency guide is eloquent and worthy of note. Indeed, supporting the wellness of legal professionals and protecting the public are two inseparable sides of the same coin. The incorporation of wellness as a key competency reinforces this dual commitment.

These initiatives are a source of inspiration and are paving the way towards the future of the profession in Alberta. The recommendations arising from Phase II of this national project are based on the following considerations: (1) the results stemming from the priority themes analyzed; (2) the solutions put forward by Phase II participants in Alberta; (3) the identified initiatives that are currently being implemented by the Law Society of Alberta; and (4) the coverage rate of the various Phase I recommendations in relation to these initiatives. Three recommendations were made and are presented below.

RECOMMENDATION 1 **IMPROVE THE PREPARATION OF FUTURE LEGAL PROFESSIONALS SO AS TO** **PROTECT THEIR PSYCHOLOGICAL HEALTH**

In light of the recommendations issued during Phase I of this project and in keeping with the solutions put forward by participating legal professionals during Phase II, actions aimed at improving the preparation of future lawyers are needed. Among these actions, the recommendation is to work together with law faculties so that certain skills and competencies that are essential to wellness in professional practice can be systemically integrated into university curricula. In particular, these skills and competencies include the ability to manage stress, to manage one's time effectively, to resolve conflict, to assert oneself (set limits), to psychologically detach oneself from work, to manage one's emotions, and to implement effective strategies to promote work-life balance. These competencies are essential tools for ensuring a healthy, sustainable legal practice and should be an integral part of legal professionals' training, starting in law school. These competencies, on top of being incorporated as required components in law programs, should also be developed throughout undergraduate education, beginning in the first year. These cross-disciplinary competencies are hard to develop and require practice. Consequently, by extending the development of these competencies over the course of the student's entire academic career, university programs establish conditions favourable to the gradual development and incorporation of these key competencies.

Finally, beyond contributing to the development of these key, health-focused competencies, this training could also serve as a lever for valuing the importance of different types of professional practice and for laying the foundations for future legal professionals' career planning. By valuing diverse career paths, law faculties will facilitate the transition to the job market. They will also take an additional step towards a much-needed culture change in a profession that has traditionally valued certain career paths (e.g., working within a large firm in the private sector) to the detriment of alternative paths, despite their importance for society. Furthermore, these alternative career paths may better align with the profiles of law students who do not recognize themselves in traditionally valued paths. Unfortunately, students are

often either poorly informed about the alternative careers available to them or struggle with stereotypes and preconceived ideas associated with certain less prestigious career choices.

RECOMMENDATION 2

IMPLEMENT MEASURES TO INCREASE ACCESS TO MENTORSHIP OPPORTUNITIES, INCLUDING FEMALE MENTORSHIP

In light of the recommendations issued during Phase I of this project and in keeping with the solutions put forward by participating legal professionals in Alberta, mentorship remains an essential tool for protecting legal professionals' health and ensuring their growth. Mentorship would also be an important tool for retention in the profession (Beiner, 2018; Patton, 2004). Unfortunately, right now in Alberta as elsewhere in Canada, only a minority of young lawyers access mentorship when they enter the profession. In Alberta specifically, only one quarter of participants were mentored. On top of fostering knowledge transfer, mentorship makes it easier for mentees to develop a network, provides first-line emotional support, and facilitates the development of cross-disciplinary competencies important to legal practice such as time management and setting priorities.

In particular, discussions with participants highlighted the importance of female mentorship, i.e., the mentorship of women by women. This approach has been raised in the literature for quite some time (Riley & Wrench, 1985; Wallace, 2001). In fact, the mentorship of women by women is likely to support legal professionals struggling with challenges specifically faced by women in their careers, such as discrimination or obstacles related to gender. Female mentorship also allows mentees to be inspired by seeing fellow female professionals succeed and overcome challenges specifically encountered by women during the course of their career.

Although mentorship programs in Alberta are accessible to all articling students, new lawyers, and internationally trained lawyers, the reality is that for various reasons, including lack of awareness about these programs, the majority do not get involved in them. It is crucial to enhance the visibility of these programs and to better understand why many young lawyers or women do not take part in them.

Unfortunately, the billing structure related to billable hours and the workload are barriers to involvement in mentorship activities (Patton, 2004). It is therefore recommended to explore ways to promote broader and more systematic participation in mentorship programs, while alleviating the constraints that limit the participation of already practicing professionals.

To maximize the effectiveness of these programs, it would also be pertinent to promote specific initiatives aimed at raising awareness among young lawyers and women about the benefits of mentorship and facilitating their access to these opportunities. This could include targeted communication campaigns, testimonials from mentors and mentees, as well as structural adjustments to integrate mentorship into the common practices of law firms.

RECOMMENDATION 3

EVALUATE ALTERNATIVE METHODS OF WORK ORGANIZATION TO REDUCE EXPOSURE TO CERTAIN RISK FACTORS

Lastly, one of the recommendations put forward during Phase I of this project (Cadieux et al., 2022) focuses on the importance of evaluating the implementation of alternative methods of work organization to reduce exposure to certain risk factors. Given the measures currently implemented by the Law Society of Alberta and the discussions held with participants, it appears important to reiterate this recommendation.

Many lawyers across the country work alone, whether in the private or public sectors, in private practice or in small or large firms. Yet, when implemented, teamwork allows for an increase in peer support of colleagues who are dealing with high emotional demands and is likely to increase productivity, agility, and flexibility in the workplace. Teamwork also contributes to the emergence of new solutions, thus facilitating the handling of more difficult files. Finally, teamwork can also contribute to a form of job enrichment that is likely to reduce exposure to certain stressors, such as emotional demands.

Unfortunately, in the private sector, billable hours are a significant obstacle to teamwork. It is therefore recommended that alternative methods of billing, work organization, and remuneration that are likely to increase legal professionals' ability to work in teams be evaluated so that they can benefit from the advantages that stem from teamwork.

1.7 SUPPORT RESOURCES AVAILABLE FOR LEGAL PROFESSIONALS IN ALBERTA

EMERGENCY RESOURCES

Don't know who to call or where to find the support you need? Call **211**

Wellness Together Canada: Mental health and substance use Canada.

Phone: Call **1-866-585-0445** or text **WELLNESS** to **741741** or **686868**

Online peer support for addictions: www.capsa.ca/peer-support-meetings

ASSIST – The Alberta Lawyers' Assistance Society

24/7, 365 days a year 24/7 crisis counselling: **1-877-498-6898**

Alberta and North-Eastern Saskatchewan St. Paul and District Crisis Association

Toll-free (24/7): **1-800-263-3045**

Calgary and surrounding areas – Calgary Distress Centre

Crisis line (24/7): **(403) 266-HELP (4357)**

Crisis chat support: www.distresscentre.com

Crisis text and chat support: www.calgaryconnecteen.com

Wood's Homes – Toll-free (24/7): **1-800-563-6106**

Crisis line (24/7): **403-299-9699**

Crisis text and chat support: www.woodshomes.ca

Chinook Health Region and Southern Calgary – Distress and Suicide Prevention Line of Southwestern Alberta (CMHA – Alberta South Region)

Toll-free (24/7): **1-888-787-2880** Crisis line (24/7): **403-327-7905**

Edmonton and Northern Alberta

CMHA Edmonton Region – Fort McMurray and North-Eastern Alberta

Crisis line (24/7): **1-800-232-7288 / (780) 482-HELP (4357)**

"Some Other Solutions" Crisis Prevention Society

Crisis line (24/7): **1-800-565-3801** Crisis line (24/7): **780-743-HELP (4357)**

Lakeland region – Dr. Margaret Savage Crisis Centre – Strathmore and surrounding areas

Crisis line (24/7): **1-866-594-0533** Crisis line (24/7): **780-594-3353**

Wheatland Shelter Society

Crisis Line (24/7): **1-877-934-6634 / Crisis Line (24/7): 403-934-6634**

SEE OTHER INFORMATION AND ADVICE RESOURCES FROM THE LAW SOCIETY OF ALBERTA

- [Resource Centre on well-being](#)

PROGRAMS OR WEBSITES ON THE THEMES OF WELL-BEING AND MENTAL HEALTH

- [Alberta Lawyers' Assistance Society \(ASSIST\)](#)
Professional consulting services: **1-877-498-6898**
Peer support program: **1-877-737-5508**
- University of Alberta | Faculty of Law - [Mental Health & Wellness](#)(for students)
- University of Alberta | Faculty of Law - [Mental Health & Wellness](#)(for students)
- Centre for Addiction and Mental Health ([CAMH](#))
Toll-free (24/7): **416-535-8501** or **1-800-463-2338**

SEE OTHER INFORMATION AND ADVICE RESOURCES ON THE TOPICS OF WELL-BEING AND MENTAL HEALTH

- [The Advocates' Society](#)
- [Law Insider](#)

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