

Legally Unhappy: Psychological Distress in Legal Practitioners

DrShete Anjali N¹, Dr. K.D.Garkal²

Associate Professor, Physiology, Government Medical College, Aurangabad
Registrar, MUHS, Nashik, Maharashtra.

Abstract

Background: Occupational stress is of increasing importance due to increased demands for every occupation. A range of adverse health outcomes have been identified; psychological disorders are significant because they occur frequently and are often unrecognized. Of all professionals, lawyers form the highest rate of depression and are more likely to suffer from the depressive disorders.

Aim: The primary objective of our study was to find out the levels of psychological distress in legal practitioners. The secondary objective was to compare these findings in males and females.

Method: It was across sectional study. 50 lawyers of both sex of age 30-45 years and practicing since 10 years were selected as cases. Thorough clinical examination was done to rule out any major illness. Each participant was given DASS (Depression Anxiety Stress Score) questionnaire. Completed DASS data was tabulated and analyzed by SPSS software. Unpaired t test was applied for statistical significance.

Results: Among the 50 cases, 36 cases were males and 14 were females. The levels of stress and anxiety was reported higher in the study. The females were showing higher stress than males which was statistically significant.

Conclusion: The present study concluded that lawyers are at risk of psychological stress. The females lawyers were at more risk than the male lawyers.

Keywords: Legal Practitioners DASS 42 Psychological Distress

I. Introduction

Occupational stress is of increasing importance due to continuing structural changes in the workplace with both increasing demands and job security imposed on employees. A range of adverse health outcomes have been identified. Psychological disorders are significant because they occur frequently and are often unrecognized. They can be accompanied by significant social morbidity. There are important implications for the lifestyle and health of the employees and their families. The stress implied by various professions were studied; of which most studied were medical, engineers and teachers. In those; medical profession was having higher stress levels.⁽¹⁾ In a country where the depression rate is ten times higher today than it was in the past⁽¹⁾; lawyers sit at the unenviable zenith of the depressed professionals. Of all professions in the United States, lawyers suffer from the highest rate of depression. They are more likely to suffer from major depressive disorders than the rest of the professions.⁽²⁾ Lawyers are also at a greater risk of heart disease, alcoholism and drug abuse than the general population.⁽³⁾ There were various studies done in other countries but, very less studies were seen in the Indian lawyers. Today an increasing number of lawyers are experiencing burnouts, insomnia, low productivity and stress related illness⁽⁴⁾ due to lack of balance in personal and professional lives. A psychosocial interplay between personality, power status and service and intellectual challenges forms the career dilemma of lawyers conflicts. Job satisfaction has been defined as the positive orientation of an individual towards the work role which he is presently occupying and the pleasurable emotional state resulting from the appraisal of one's job as achieving or facilitating one's values. It is basically an individual matter and refers to what one expects from his/her job and when there is mismatch between what is expected and what is received dissatisfaction occurs. Due to high job demands there is significant impact of stress on the lawyer's mental and physical health which in turn leads to stress.⁽⁵⁾ Some degree of stress is the normal part of life and provides the stimulus to learn and grow without an adverse effect on health.⁽⁶⁾ But, when stress is intense continuous or repeated as is often the case with occupational stress; ill health can result it can destroy quality of life and also affect family life. It can lead to emotional reactions like depression, irritability, anxiety, fatigue withdrawal, and low self-esteem. Physiological (heart burn, eating disorders) muscle pain and behavioral reactions like smoking, drinking.⁽⁷⁾ Very few studies were seen in India and hence this study was planned to see the psychological distress in lawyers.

II. Method

50 lawyers of both sex practicing at High court Aurangabad, were selected. Thorough clinical history and examination was done. The lawyers having any major disorder or with recent history of any incidence affecting his/her mental health were excluded. The details included age, gender, H/O medications were

recorded .A written consent was taken and complete confidentiality was assured. A validated ⁽⁸⁾questionnaire DASS 42 was given to each participant along with a standard preface explaining the purpose of the study and was asked to fill. The DASS 42 scale described by Lovibond and Lovibond ⁽⁹⁾ is a survey that measures the level of depression, anxiety and stress levels in an individual. The structure of the DASS is similar to the tripartite model of Clark and Watson ⁽¹⁰⁾ which conceptualizes depression and anxiety as having unique distinguishing features and some common symptoms as well. During the testing of the scale a new factor emerged that referred to difficulty in relaxing, nervous tension, irritability and agitation. This difficulty was labeled as “Stress” by virtue of perceived similarity to the symptoms of tension or stress described. The DASS 42 has 14 items for each of the three scales. Items 3,5,10,13,16,17,21,24,26,31,34,37,38 and 42 form the depression scale and assess dysphoria, hopelessness, deviation of life, self deprecation, lack of interest or involvement and inertia. The anxiety scale has 14 items; 2,4,7,9,15,19,20,23,25,28,30,36,40 and 41 which measures autonomic arousal, skeletal stress scale has items 1,6,8,11,12,14,18,22,27,29,32, 33,35 and 39 which quantifies the difficulty in relaxing, nervous arousal and being easily upset or agitated or irritable. The respondents rate the extent to which they have experienced the symptoms over the previous week on a four point rating scale. The sum of scores obtained from the 14 items in each scale and the scale severity is interpreted as shown in the table.

Table 1 :DASS severity levels

G R A D E S	DEPRESSION	A N X I E T Y	S T R E S S
N O R M A L	0 - 9	0 - 7	0 - 4
M I L D	1 0 - 1 3	8 - 9	1 5 - 1 8
M O D E R A T E	1 4 - 2 0	1 0 - 1 4	1 9 - 2 5
S E V E R E	2 1 - 2 7	1 5 - 1 9	2 6 - 3 3
E X T R E M E S E V E R E	2 8 +	2 0 +	3 4 +

The scale has been tested and found to possess excellent reliability, good validity and simple in language and requires less time. ⁽¹¹⁾

III. Statistical Analysis

The data was analyzed and coded. Unpaired t test was applied for comparing the variables.

IV. Result

A total of 50 lawyers were selected for the study. They were practicing since 7-10 years. The age of the lawyers was ranging between 30-45 years. Among the 50; 36 were males and 14 were females. DASS questionnaire was given to them. When we analyzed depression scale, 31 cases reported no evidence of depression, 7 cases reported mild depression, 7 moderate depression and 2 reported extreme severe depression. The mean depression score was 8.96 ± 8.16 (Table 2). The anxiety scale reported 22 normal cases. Among the remaining, 5 reported mild, 10 moderate, 8 severe and 5 extreme severe cases of anxiety levels. The mean anxiety levels was 8.12 ± 6.03 (Table 2) Our study reported 28 normal cases of stress scale.; 6 cases were having mild stress, 10 were having moderate stress, 4 cases were having severe stress and 2 reported extreme severe stress levels. The mean stress level was 17.62 ± 7.18 (Table 2). We further grouped the cases into males and females and analyzed the data. In males the depression score was 9.71 ± 8.35 , the anxiety score was 10.08 ± 7.28 . And the stress score was 10.47 ± 6.60 . In females; the depression score was 7.64 ± 6.54 , the anxiety score was 8.78 ± 6.49 , the stress score was 13.79 ± 8.76 . (Table 3). The difference in depression and anxiety was not statistically significant, but the stress levels were showing significant difference in males and females.

V. Discussion

Mental illness encompasses a variety of mental impairments that may affect individual’s thought, mood or behavior. It also affects his/her ability to function psychologically, socially, occupationally or interpersonally. A lawyer’s role is to advocate for his/her clients. And lawyers have the duty to act competently maintain client confidentiality, avoid client’s adverse interests and communicate with clients to keep them reasonably informed, among other duties. Mental illness can affect a lawyer’s ability to abide these duties and provide professional and competent representation. It can lead to decreased work performance, burning out and inability to maintain ethical responsibilities and discipline. Our study reported an overall mild degree of anxiety and mild stress levels in the lawyers. The depression levels were in normal range for overall sample. When we analyzed according to gender difference, it was observed that there were higher levels of stress among females as compared to male lawyers which was statistically significant. The depression and anxiety levels in female lawyers were seen to be lower compared to male lawyers.

The results in our study shows that lawyers definitely suffer from stressful situations leading to psychological disturbances. Lawyers are expected to heavy workloads. By its nature, the profession is full of

multiple sources of conflict and adversity. Lawyers have to deal with conflict and uncontrollable uncertainty from clients, opposing council, other lawyers, insurance companies and judges, etc. lawyers feel stress and body's stress response can contribute to the root of mental illness.⁽¹¹⁾ Legal profession gives little in turn in terms for the years of hard labor and stress⁽¹²⁾. Various studies on lawyers job satisfaction have turned out different results. Some studies find lawyers are among unhappiest professionals, while others say they are equally satisfied or dissatisfied as other workers.⁽¹³⁾ A study found that 40% of lawyers were dissatisfied with their jobs⁽¹⁴⁾. In 2006, one survey found that 56% of lawyers were very satisfied with their jobs.⁽¹¹⁾ In 1990, study by the National survey found the most common reasons for lawyers negative job experiences were 'not much time for self' and 'not much time for family'⁽¹⁵⁾ According to Berman; lawyers experience many of these risk factors at higher rates than general population.⁽¹⁶⁾ Daicoff in 1977 found that increasing competition results in stress and low job satisfaction among lawyers. It was found that when lawyers have less work to do as compared with their colleagues, then the situation ends with job dissatisfaction.⁽¹⁷⁾ Kirti Patel in her study concluded that high demand, low support at the workplace and inadequate recreation at the workplace corroborates with the development of stress.⁽¹⁸⁾

In this study, gender was significantly influencing the stress levels. Several studies have shown that females were more prone for emotional disturbances than males.^(19,20) The female lawyers have less job satisfaction and more stress and burnout than males.⁽²¹⁾ In our study, the female lawyers showed a lower depression levels. This may be due to the fact females are more likely report concern, stress due to self-expectation and tendency to report symptoms.⁽²⁰⁾

Despite the prevalence of mental illness in our society, there remains a stigma attached to mental illness. Lawyers may choose not to seek treatment out of fear that may be diagnosed with a mental illness and the fear what it could mean to their ability to practice law. Some lawyers choose to remain silent about their diagnosed or undiagnosed mental illness at work.

VI. Conclusion

Lawyers suffer from higher degrees of stress and anxiety levels due to high stress of the profession. Female lawyers were showing higher stress levels than male lawyers. The study also concluded that lawyers have a high risk of substance abuse and face stigma in the workplace.

VII. Limitations

It was a cross sectional, questionnaire based study. Small sample size was a major factor of limitation. Comparison with general population and other professions were not done. Factors contributing the stress levels were not analyzed.

Acknowledgement

I want to thank my brother, Advocate Umesh N. Shete; who helped me in communication with the lawyers. Without his assistance it was difficult to collect the data. I would also thank all the lawyers who readily accepted to participate in the study. Some of senior lawyers gave the suggestions regarding forming LAWYER ASSISTANCE PROGRAMMES at the courts; which seems to be a very good suggestion.

References

- [1]. T.D.Peterson, E.W.Peterson: Stemming the tide of the law student depression, what law school need to learn from the positive psychology; http://scholarship.law.gwu.edu/faculty_publication/ 871-2008.
- [2]. William w. Eaton et al: Occupations and prevalence of major depressive disorders, *J.Occupational med.* 1079-1083, 1990.
- [3]. Martin E.P. Seligman, Paul R. Verkuil Terry H Many: Why lawyers are unhappy; *Deakin law rev.* 49, 66, 2005.
- [4]. Akiome Knows, Orito Kawakami, Takashi Haratani: Job stressors and long term sick leave due to depressive disorders among Japanese male employee.; *J. Of epidemiology and community health*, 64, 229-235, 2010.
- [5]. Anita Sharma, Shewta Verma, Dalip Malhotra: Stress and burnout as predictors of job satisfaction amongst lawyers; *European journal of social sciences*, 3(14), 348-359, 2010.
- [6]. Rajia Kalimo, Mostafa Botawi, Carey Cooper: Psychosocial factors at work and their relation to health; WHO, Geneva, 1-15, 1987.
- [7]. H.K.Jenson, J.Wieclaw, T. Munch Hansen: Does dissatisfaction with psychosocial work climate predict depressive, anxiety and substance abuse disorders; A prospective study of Danish public service employees; *Journal of Epidemiology and community health*, 64, 796-801, 2010.
- [8]. Julie D. Henry, John R. Crawford. The short-form version of the Depression Anxiety Stress Scales (DASS-21): Construct validity and normative data in a large non-clinical sample; *British Journal of Clinical Psychology* (2005), 44, 227-239.
- [9]. Lovibond LH, Lovibond PF: Manual for the depression, anxiety, stress scales, 2nd ed, Sydney. Psychology foundation of Australia, 1995
- [10]. Clark LA, Watson D: Tripartite model of anxiety and depression: psychometric evidence and taxonomic implications, ; *J.Abnorm.Psychol*; 100, 316-336, 1991
- [11]. Psychology foundation of Australia: Depression, anxiety, stress scales at <http://www.psy.unsw.edu.au/group/dass/> accessed April 15, 2011.
- [12]. Weir; The beginning of mental illness : *American Psycho Assn.* 43(2), 36, 2012.
- [13]. Wehrenberg: The suicide of a lawyer with depression: Ken's story, lawyers with depression

[14]. <http://www.lawyerswithdepression.com/articles/the-suicide-of-a-lawyers-with-depression-ken-story/2011>.
 [15]. Curtis: Looking for a happier legal carrier or something different, CA Bar Journal
 [16]. <http://www.calbarjournal.com/January 2010/Topheadlines/TH1.aspx/2010>
 [17]. Carlton: Getting help when you need it California Bar Journal ;
 [18]. <http://www.calbarlap.com/CBJ /2006 -MCLE-article-doc.pdf/2006>
 [19]. Griffith: Job satisfaction in the legal industry law crossing
 [20]. <http://www.lawcrossing.com/article/112/job-satisfaction-in-the-legal-industry/2014>.
 [21]. Chiu L.Do professional women have job satisfaction than professional men lawyers as a case study? Journal sex roles; 3,7-8,1998.
 [22]. Hagan J. Kay F: Even lawyers get the blues; Gender, depression and job satisfaction in legal practice. Law Soc.Rev,41,51-78,1999.
 [23]. Diacoff S. Lawyers know thyself: A review of empirical research on Attorney attributes bearing an professionalism: Am. Univ.Law Rev;46,3-14,1997.
 [24]. Kirti A. Patel, Shekhar R. Rajderkar, JayshreeD. Naik, Vivek S. Behere: A study of certain correlates of job satisfaction among judicial personnel in a district of Western Maharashtra;
 [25]. Indian J. Occup. Environ.Med,18(2); 68-74;2014.
 [26]. Grant K. Marsh P. Syniar G: Gender differences in rates of depression among undergraduates ;measurement matters; J. Adolesc;25,613-617,2002.

Table 2: Overall DASS score in legal practitioners

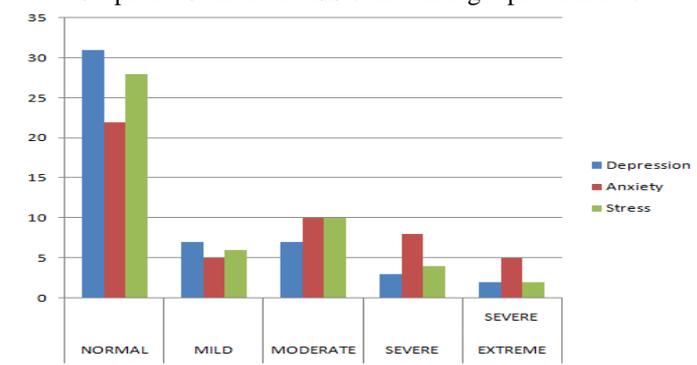
	NORMAL	MILD	MODERATE	SEVERE	EXTREME	MEAN±S.D.
Depression	3	1	7	7	3	8.96±8.16
Anxiety	2	2	5	1	0	8.12±6.03
Stress	2	8	6	1	0	17.62±7.18

Table 3: Gender difference in DASS score

	Depression mean±s.d.	Anxiety mean±s.d.	Stress mean±s.d.
Males n= 36	9 . 7 1 ± 8 . 3 5	1 0 . 0 8 ± 7 . 2 8	1 0 . 4 7 ± 6 . 6 0
Females n=14	7 . 6 4 ± 6 . 5 4	8 . 7 8 ± 6 . 4 9	1 3 . 7 9 ± 8 . 7 6
	NS	NS	S

NS= non significant. S= significant

Graph 1: Overall DASS score in legal practitioners



Graph 2: Gender difference in DASS score

