



Well-Being and the Strategies for Coping with the Competing Demands Faced by Young Lawyers



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Réflexions sur le bien-être des avocats, en particulier durant les premières années d'exercice, au regard d'un ensemble de facteurs liés au contexte professionnel et propositions de stratégies afin de faire face aux difficultés rencontrées.

Introduction

Being a lawyer is an immense privilege. With our profession, in fact, we can contribute to improving and changing our clients' lives. At the same time though, our role often comes with hefty responsibilities, a heavy workload and high demands, which can threaten our well-being.

When we go through periods of particular distress, both our productivity and our quality of life are affected. Furthermore, the general state of well-being of the lawyers within a firm can have an impact on the business (for example, in terms of turnover).

The first part of this article aims to therefore provide some cues for a general reflection on the topic, such as a possible definition of well-being, a description of its measures and the examination of some situational factors that can influence and contribute towards our well-being.

The second part shares ideas and experiences of strategies that can be installed in order to improve the professional well-being of young lawyers in particular.

What is Well-Being: The Importance of Awareness

The level of awareness on the importance of wellbeing in the legal profession varies from country to country.

In order to promote our well-being as lawyers and young lawyers, it is essential to begin with an understanding of the notion of well-being and possible tools for its assessment and improvement.

The American Bar Association – that appears to be quite attentive to the issue - has carried out interesting studies on the subject, which resulted in the drafting of a “Well-Being Toolkit for Lawyers and legal employers” in August 2018 (www.americanbar.org).

The ABA Toolkit (pag. 7) claims that there are six dimensions to be considered to properly assess the well-being of a person: occupational, emotional, physical, intellectual (intended as the importance of continuous learning and intellectual challenges to foster an ongoing development), spiritual (intended as the development of a sense of meaningfulness and purpose) and social. According to the toolkit, these dimensions are all related and have the capacity to influence our quality of life.

This “multidimensional approach” to well-being appears sensible. We can consider that work is one important component

of life, although not the only one. At the same time, when we struggle in one area of our life, such as the occupational dimension, all the other aspects are affected, too.

Well-Being at the Workplace

More specifically on the occupational dimension, in relation to well-being, it is interesting to note that research suggests that it is situational factors, more than individual traits and qualities, that influence whether we experience work engagement or burnout¹.

Among these factors, there are for example: the amount of workload, a sense of control and autonomy, adequate rewards, a sense of community, fairness and alignment of values with the firm.

Individual strategies to improve well-being are, in fact, to be contextualized with regards to the work environment we are within: they will be successful so far as they are supported by a general culture attentive to the issue.

As a confirmation of the above, it is interesting to note that, regarding excessive workload, stress arises notably from uncertainty on how to deal with the tasks we are assigned, rather than due to an excessive amount of assignments to be followed, which we are more inclined to know how to deal with.



Strategies for Young Lawyers to Improve their Professional Well-Being

As suggested in the first part of this article, well-being is not easy to achieve, and this is sometimes hard to admit, especially for young lawyers who have to face a high level of stress and pressure, whilst dealing with the various needs of clients, emergencies, meeting the requirements and expectations of the firm and its partner(s), constraints and deadlines.

A natural way to respond would be to just be yourself, to implement what was learnt at university, to improve with training and by gaining experience, to do your best, and to simply move forward without asking yourself what could be done in the work environment to improve your professional well-being.

Beyond the usual advice concerning physical and mental exercise (taking breaks, physical activity, meditation, reading personal development literature...), concrete and practical strategies can be installed to face day-to-day professional problems in order to improve well-being and ultimately work, as well as interactions with clients and others.

Actions to Improve Work Conditions and Efficiency

The following actions are the result of feedback from lawyers and are also inspired by the Mindful Business Charter which was created at the end of 2018 and signed by several law firms ².

The first group of advice is practical. To be able to work efficiently, one is required to organize tasks, files, deadlines, by setting priorities and reminders at the start of the day, the week, the month, and to reorganize if necessary at short notice to deal with unexpected demands. Multitasking should to be limited however otherwise it can lead to mistakes, forgetfulness and stress. By planning carefully and considering yours and others' time, you will ensure sufficient time to work efficiently.

Although turning towards and being open to others is sometimes thought

Also, other than workload in itself, there are other related aspects that are relevant to the quality of work, such as the margin of autonomy that we have and therefore in managing our own time and setting out priorities. For example, coping with requests to meet tight deadlines which are not based on actual needs, can represent a source of stress.

Moreover, considering the evolution that technology has had in recent years, the difficulty to "unplug" has an important impact on a lawyer's sense of autonomy and control, given the demands of the clients and the potential availability of a lawyer 24 hours a day, 7 days a week, accessible via different communication methods.

It is a major change from the times when mail arrived in the morning and was likely

to be the only written news to be dealt with during a working day.

A regulation of the lawyers' availability and a well-planned organization which allows for the delegation of tasks during time-off is of essence to help prevent the feeling of being overwhelmed.

Finally, another situational factor that is worth noting is the importance of engagement towards work, which is based on the need to feel that our work is meaningful and that it corresponds to our values.

It could indeed be considered that "People work for money but go the extra mile for recognition, praise and rewards" (Dale Carnegie).



of as a weakness, it is a great source of learning and assistance. This can be acquired by asking questions directly and via feedback from colleagues or, in a less direct manner, by sharing your knowledge or by offering your help. Usually, others will then respond the same towards you. Redefining, clarifying or stating the difficulties of a task with the person in charge or someone with more experience often unblocks situations and allows to move forward. To improve relations with others, working on having a good communication is essential (talking, listening, not interrupting, setting meetings, and admitting when wrong...).

Being willful is also a source of well-being and can result in many positive returns. Creativity is not the monopoly of other professions and the development of ideas and proposals by young lawyers should be promoted and supported as some may feel intimidated. This implies thinking and defining your place within your work and the firm by taking responsibilities, by willing to gain in autonomy, in setting aims and short and long-term challenges. On a more active level, it can be fulfilling to participate in the firm's activities, in taking initiatives, and in occasions to socialize with colleagues.

Two examples of useful exercises were designed, one by Anne Brafford, former partner of a law firm, and the other by the Paula Davis-Laack, Founder and CEO of the Stress & Resilience Institute, and are summarized hereafter:

1. Identify your main strengths and weaknesses³ (within six main categories: wisdom, courage, justice, humanity, temperance, transcendence), then think of ways to use them or find the right proportion in specific situations.

2. In stressful or frustrating situations, establish a list of the aspects that can be controlled (eg. the quality of your work) and the ones that cannot and need to be accepted (eg. clients past actions)⁴ which will help to take a step back.

In Conclusion

When reflecting upon strategies to improve our well-being at work (or that of one of our employees, trainees or colleagues) it is sensible to bear in mind both the fact that well-being is a complex concept, related not only to the occupational dimension, but also to the other areas of our life, and the importance of taking into account the working context in which we are and its characteristics. Awareness of the above will enable us to draft more suitable and effective solutions. Many actions can be implemented and successful if we decide to improve our well-being and are conscious of what we can do at our own level which implies rethinking our ways of working, communicating and being open to changes.

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1. ABA Toolkit, pag. 2, and A.M. Brafford in Positive Professionals: Creating High-Performing Profitable Firms Through the Science of Engagement, 2017.

2. See <https://mindfulbusinesscharter.com> : "The intention of the Mindful Business Charter is to remove unnecessary sources of workplace stress and promote better mental health and wellbeing in the legal community. We recognise that there will be times and transactions when long-hours and stress cannot be avoided, but this isn't always the case, and we want it to become the exception rather than the rule. In this way, the Charter is brave and commercial. It recognises that we cannot remove all sources of stress, nor will change happen overnight – but as a legal community we have a responsibility to try do things differently."

3. Anne Brafford, "Use your strengths", worksheet 10, in the « Well-being toolkit for lawyers and legal employers » for use by the American Bar Association.

4. Paula Davis-Laack, worksheet 6, in the "Well-being toolkit for lawyers and legal employers" for use by the American Bar Association.



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