



TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA



Phase II | 2022-2024

RESEARCH REPORT NEWFOUNDLAND AND LABRADOR

Under the scientific direction of
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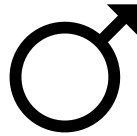
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Phase I participants description: Law Society of Newfoundland and Labrador



56.7% of **women**
with an average
age of **43.5** years



41.2% of **men** with
an average age of
46.1 years

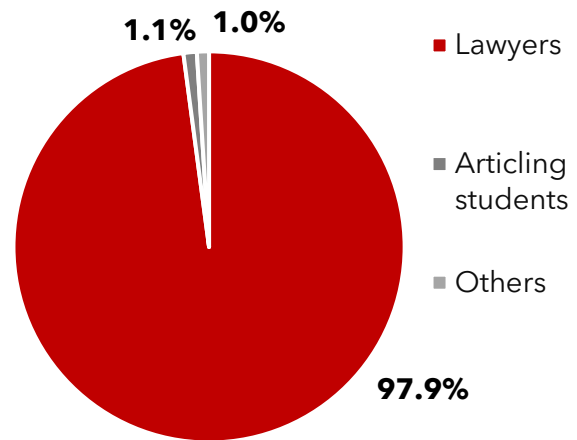


1.0% of **non-binary
people** with an average
age of **32.0** years

Portrait of **diversity** among participating legal
professionals in Newfoundland and Labrador
(n = 97)



Proportion of participating legal
professionals by **profession** in
Newfoundland and Labrador (n = 97)



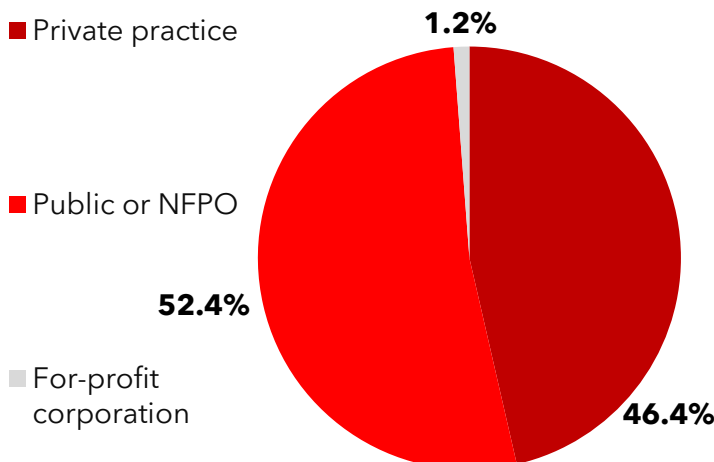
40.2%

Participating legal professionals in
Newfoundland and Labrador are members of
the Canadian Bar Association CBA
(n = 97)

2.4%

Participating legal professionals in
Newfoundland and Labrador are qualified
from the National Committee on
Accreditation NCA (n = 96)

Proportion of participating legal
professionals in Newfoundland and
Labrador by **work setting** (n = 82)

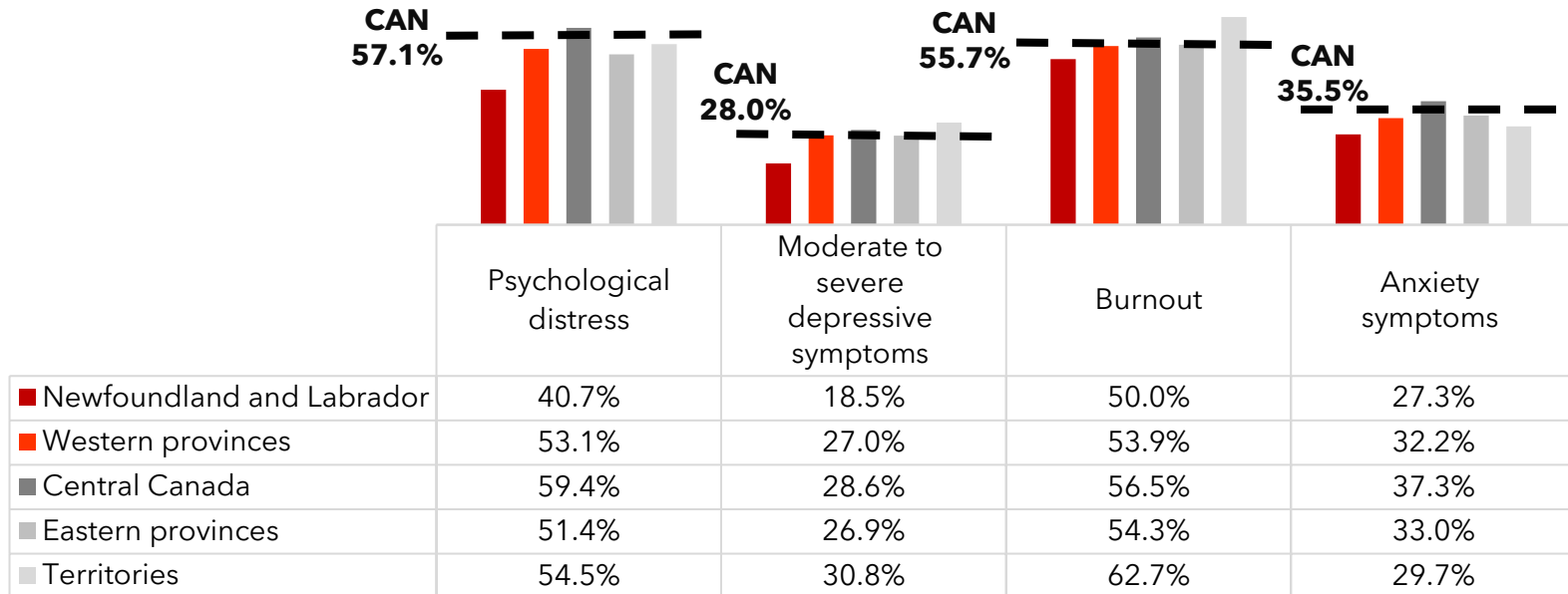


Area of practice :

- Family Law (24.7%)
- Criminal Law (28.9%)
- Civil Litigation (38.1%)
- Business, Corporate and Commercial Law (9.3%)
- Human Rights, Public and Administrative Law (5.2%)
- Labour and Employment Law (13.4%)
- Real Property (21.6%)
- Wills, Estates and Trusts (22.7%)
- Alternative Dispute Resolution (8.2%)
- Other (11.3%)

Mental health indicators (Phase I): Law Society of Newfoundland and Labrador

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



25.9%

Participating legal professionals in Newfoundland and Labrador have had **suicidal thoughts** since the beginning of their career (n = 81). The average in Canada is **24.1%**



44.3%

Participating legal professionals in Newfoundland and Labrador were **unable to seek help because of psychological health issues despite feeling the need for it** (n = 97). The average in Canada is **46.8%**

Three main reasons for not seeking help:

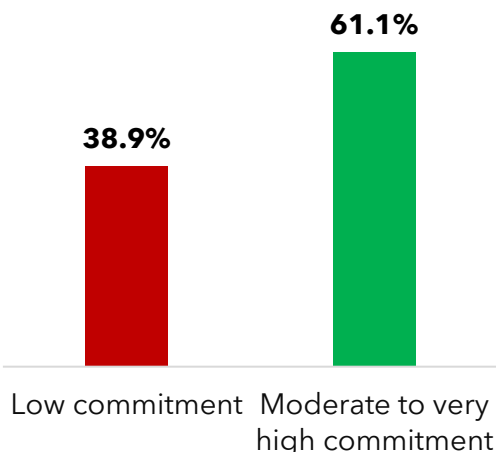
1. Thoughts that the issue is temporary **29.9%**
2. Lack of energy of seeking help **17.5%**
3. Not being sure about help necessity **14.2%**



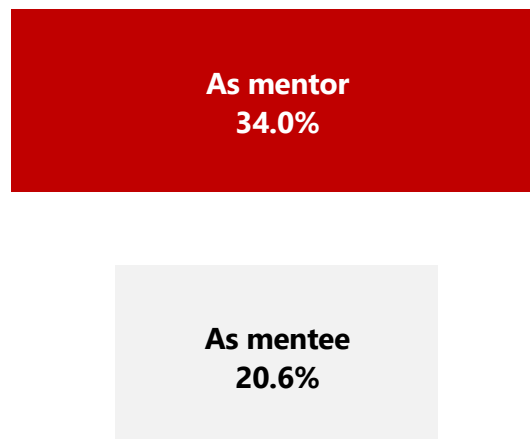
10.4%

Participating legal professionals in Newfoundland and Labrador who **have taken more than three months of medical leave** in the past five years (n = 96)

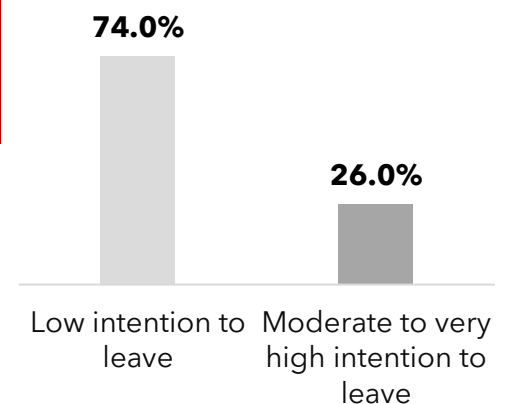
Proportion of **affective commitment to the profession** among participating legal professionals in Newfoundland and Labrador (n = 72)



Proportion of **mentorship participation** among participating legal professionals in Newfoundland and Labrador (n = 97)



Proportion of **intention to leave the profession** among participating legal professionals in Newfoundland and Labrador (n = 73)



INTRODUCTION | HEALTH AND WELLNESS PRIORITIES IN THE PRACTICE OF LAW IN NEWFOUNDLAND AND LABRADOR

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 participating legal professionals working in Newfoundland and Labrador based on Canadian data collected during Phase I (Cadieux et al., 2022).
- 2) Contextualize the quantitative results obtained in Phase I through interviews with legal professionals working in Newfoundland and Labrador.
- 3) Make targeted recommendations to address important health and wellness issues among participating legal professionals working in Newfoundland and Labrador.

The first objective was achieved through quantitative data collected in Newfoundland and Labrador during the first phase of this national project ($n = 54$). The second objective is based on qualitative data gathered through interviews. As part of Phase II, 21 legal professionals working in Newfoundland and Labrador, including 1 articling student and 20 lawyers, volunteered to participate in a semi-structured interview. Participants were then selected ($n = 6$) among the volunteers and semi-structured interviews were conducted with these legal professionals. In order to identify the priorities of legal professionals working in Newfoundland and Labrador, 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 law society. These themes focus on the determinants of health and wellness 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 Newfoundland and Labrador who expressed an interest in being interviewed

Theme	Contents	# of legal professionals for whom the theme is among the three most important themes to address
1	Work-life balance	15
2	Working conditions and cognitive demands	14
3	Coping strategies and lifestyle	10
4	Training and mentorship	9
5	Billable hours	5
6	Diversity and inclusion in the practice of law in Canada	4
7	Regulation and practice review	2
8	Technology and legal practice (technostress)	2
9	Telework	1
10	Return to work after a prolonged medical leave/absence	1

Based on the results presented in Table 1, this report addresses the three themes most frequently reported as priorities: (1) work-life balance, (2) working conditions and cognitive demands, and (3) coping strategies and lifestyle. The results presented for each theme are based on weighted quantitative data obtained during Phase I in Newfoundland and Labrador ($n = 54$) and on interviews conducted ($n = 6$).

1.1 THEME 1 | WORK-LIFE BALANCE

Authors: Marie-Louise Pomerleau, M.Sc. candidate, Prof. Nathalie Cadieux, Ph.D., CRHA

Participating legal professionals working in Newfoundland and Labrador selected work-life balance as their first priority theme.

An individual's chosen profession often plays an important role in their life. However, individuals are also actively involved in various other social roles, such as those of parent, spouse, friend and caregiver. While these multiple roles have numerous benefits, balancing them and meeting the demands of each can be more complex (Nordenmark, 2004).

Work-life conflict is an issue that arises when job demands interfere with other roles in an individual's personal life (Kossek & Lee, 2017). It is likely to be associated with consequences for employees' psychological health (Jansen et al., 2006), in particular involving psychological distress, anxiety and increased depressive symptoms (Cadieux et al., 2022; Karani et al., 2022; Sprung & Rogers, 2021).

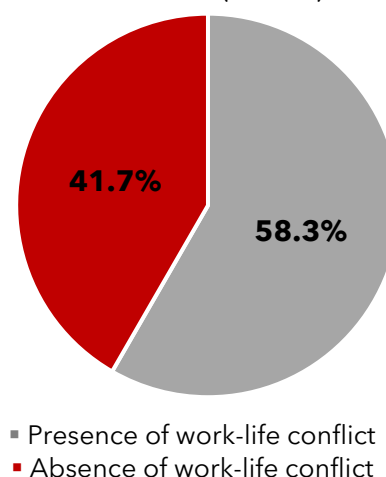
WORK-LIFE CONFLICT

Graph 1 shows that 41.7% of participating legal professionals in Newfoundland and Labrador experience work-life conflict. When asked to what extent they agreed with certain statements, nearly 60% of participants somewhat to strongly agreed with the following: "my work takes up so much of my energy that it has a negative effect on my private life."

While all legal professionals work in demanding jobs that can come into conflict with their personal lives, certain specific profiles are more at risk. Table 2 shows that, among participating legal professionals in Newfoundland and Labrador, the proportion of women who experience work-life conflict is over 20% higher than that reported by their male colleagues. Participant NL-4 shared her experience illustrating this reality.

Among the other profiles, we see that younger legal professionals appear to be more at risk, as well as those with under 10 years of experience. This may be due in part to the fact that these legal professionals are often at the age where they are thinking of starting a family, which involves a number of challenges.

Graph 1
Reported presence/absence of work-life conflict among participating legal professionals in Newfoundland and Labrador (n = 72)



"[...] I was pregnant with my first child and decided to leave because I couldn't reconcile being a mother with the expectations and working in private practice." **NL-4**

Table 2

Presence of a work-life conflict by specific characteristics among participating legal professionals in Newfoundland and Labrador (%)

		Presence of work-life conflict (in %)
Gender¹	Women	51.2%
	Men	30.0%
Age	34 and under	42.9%
	35 to 49	46.9%
	50 and over	34.6%
Work experience	0 to 9 years	47.1%
	10 years and over	38.5%
Work setting	Public and NFPO	41.7%
	Private practice	43.3%
Dependent children	No	38.5%
	Yes	45.5%
Working with clients	No	38.9%
	Yes	45.1%

One might be tempted to assume that being a parent is a strong predictor of the presence of work-life conflict. However, 38.5% of participating legal professionals in Newfoundland and Labrador who do not have dependent children also experience work-life conflict. Thus, while the proportion is higher among those with children, the issue is not exclusively attributable to parenthood. A sizable proportion of the participating legal professionals who work with clients experience work-life conflict (45.1%), compared to those who do not have to interact with clients as part of their day-to-day practice. The account given by the participant in the following excerpt reveals that their obligations to their clients and the ensuing burden of responsibility is a very stressful factor. They further note that this has repercussions when they return home in the evening.

"I think my biggest source of stress is my responsibility to my clients and myself to do a good job. It keeps me up at night, for sure. Sometimes I just really want to fulfill my obligations and do well and I know that it's hard to, I think, let go of things sometimes. Like, I'll ruminate about it after the fact instead of just kind of letting it go. I think that's my biggest source of stress [...]" **NL-6**

”

Beyond the accommodation measures and practices that an organization offers legal professionals to balance their work and family lives, instilling an organizational culture that works towards the same goals is important (Chrétien & Létourneau, 2010). In fact, what partners, supervisors and other colleagues say and do can have an influence on an individual's willingness to take steps to better balance their various roles.

¹ Given the limited sample of genders other than men and women, only those two were compared.

Winning strategies to reduce work-life conflict

Among participating legal professionals in Newfoundland and Labrador, and among legal professionals in general, certain skills appear to be associated with lesser work-life conflict. Assertiveness (ability to set limits) and psychological detachment (ability to psychologically detach oneself from work) are among the skills measured in this project.

As illustrated in Table 3, participating legal professionals who have the ability to set limits are proportionally less likely to be affected by work-life conflict (32.0%) than those who do not possess this ability (46.8%).

Table 3

Proportions of participating legal professionals in Newfoundland and Labrador experiencing work-life conflict by selected skills

	Presence of work-life conflict (in %)
Low assertiveness (poor ability to set limits)	46.8%
High assertiveness (strong ability to set limits)	32.0%
Poor ability to psychologically detach from work	44.3%
Strong ability to psychologically detach from work	27.3%

In that regard, the first excerpt shown in the box above illustrates the steps one of the participants has taken to prevent compromising their family life and other interests. The gap between participating legal professionals who do and do not experience work-life conflict is even greater when we examine the ability to psychologically detach from work, those who possess this ability reporting significantly less work-life conflict than those who do not (17% gap). The second excerpt from the same participant shows that they made decisions that fostered psychological detachment, such as buying a house outside of town. For others, however, those abilities are difficult to apply, as the following excerpt shows.

“You know, have refused to compromise family and those extracurricular things I’m interested in doing. [...] I never have been prepared to compromise family time for work. And my compensation reflects that, right? I don’t bill as much as others, but I’m happy not to.” **NL-1**

“The actions are... honestly, my best action was buying a house outside of town. At the end of the day, I get aboard my vehicle, and I drive away and it’s almost like you can just park the work ‘at work’ or you used to be able to before COVID and Zoom calls and that and remote working and whatnot. But, that action, distancing myself from work, it’s of definite assistance.” **NL-1**

“[...] ‘Should I have my evening, or should I deal with this? Or can it wait till tomorrow?’ And in my situation, it can usually wait till tomorrow, but I usually do it anyway that night. And I think that’s what the challenge is for me personally is knowing, figuring out what I can actually leave then and what actually needs to be dealt with right away.” **NL-6**

The ups and downs of telework

Among all of the work organization practices mentioned by participating legal professionals in Newfoundland and Labrador, telework is one of the most important. The flexibility of being able to choose to work from home or commute to work appears to be appreciated by many participants. The comments below reflect this, particularly when it comes to things like being able to go to a personal appointment.

“[...] I think my workplace is very, very good about work-life balance, and I think it’s really nice. It’s a little bit flexible. You can work from home on occasions if you have an appointment and then all day, it’s fine. Coworkers are always there to cover for you when you’re on vacation and stuff.” **NL-6**

“[...] have a really good work-life balance in my workplace. We have a remote work program where you can choose to work at home for two days a week, and you can also work—I don’t choose that because I prefer to be in my office, I don’t like to work from home—but we have flexibility [...].” **NL-4**

On the other hand, telework can present certain challenges for day-to-day life. One relevant aspect stands out in the comments made by participant NL-5: the concept of hyperconnectivity. Today, thanks to information and communication technologies, accessibility has become possible from virtually anywhere, at any time. This appears to be eroding the traditional boundaries between work and personal life.

“[...] But certainly, you see a lot more work leading into 24-hour days and always being around and always being available. That part is definitely a challenge. [...] I think Ontario has this right to disconnect legislation now, but I don’t think it applies to lawyers. But I know that’s something that some of the other jurisdictions where my company works have these rights to being able to disconnect and not get emails and not have emails on your phone or 12 hours a day or something [...].” **NL-5**

In fact, one study shows that 34% of workers are constantly connected to at least one device on their days off (American Psychological Association, 2017). Some countries, notably France, have introduced legislation concerning the right to disconnect (Ministère du Travail, de la Santé et des Solidarités, 2017). In Canada, the province of Ontario recently followed (Government of Ontario, 2022).

Fear of starting a family

Beyond the career objectives of participating legal professionals, starting a family is a personal goal that many look forward to. However, that desire also appears to go hand in hand with fears and doubts as to its compatibility with the profession. That feeling is reflected in the following excerpt.

“[...] I see my principal has to work weekends and not be able to spend as much time with their kids. I think that can be very difficult [...].” **NL-6**

Participating legal professionals in Newfoundland and Labrador who want to start a family were surveyed on the subject. Table 4 shows some of their responses on this theme. It shows that 43.8% of participants agree to strongly agree with the statement that they will have to change their field of practice or job to achieve a better work-life balance and be able to have a family life. Moreover, nearly a third believe that their profession is incompatible with family life, and that their workload conflicts with their ability to start a family.

Table 4

Proportion of participating legal professionals in Newfoundland and Labrador who agreed or strongly agreed with statements on the fear of starting a family (in %)

43.8%	I think about changing practice settings (or legal positions) to have a better work-life balance so I can have a family life.
31.3%	My profession is not compatible with family life.
31.3%	I feel my workload conflicts with my ability to start a family.

In summary, this chapter highlights the significant challenges faced by participating legal professionals in Newfoundland and Labrador around work-life balance. For some, those challenges even go so far as to raise fears about their ability to fulfill their personal goals, such as starting a family. In developing the ability to set limits and psychologically detach, the participating legal professionals are striving to improve their quality of life by being better able to balance their different roles. Nonetheless, finding a healthy work-life balance is an ongoing process that requires constant effort.

1.2 THEME 2 | WORKING CONDITIONS AND COGNITIVE DEMANDS

Authors: Amira Driss, M.Sc. candidate, Prof. Nathalie Cadieux, Ph.D. CRHA

The second theme addressed in relation to the mental health and wellness of participating legal professionals in Newfoundland and Labrador concerns working conditions and cognitive demands. Workplaces run largely on the cognitive abilities of the workforce (Hunt & Madhyastha, 2012; Rauvola et al., 2019), which makes it important to take stock of the constraints and risk factors that can impact legal professionals. A sub-section of this report is dedicated to the resources available to the participating legal professionals and their impacts.

OVERVIEW OF CONSTRAINTS

Phase I of this project (Cadieux et al., 2022) highlighted that Newfoundland and Labrador is among the provinces with the fewest participating legal professionals reporting depressive symptoms. Similarly, the findings indicate that the participating legal professionals in that province report lower levels of burnout than in several other Canadian provinces (Cadieux et al., 2022). Among the factors likely to affect the participating legal professionals' mental, physical and emotional health, the constraints they are exposed to rank as important. Table 5 shows the main workplace constraints measured by our team, and the percentage of participating legal professionals exposed to them. The constraints are presented in descending order of proportion, from the most present to the least present in the sample of participants.

Table 5

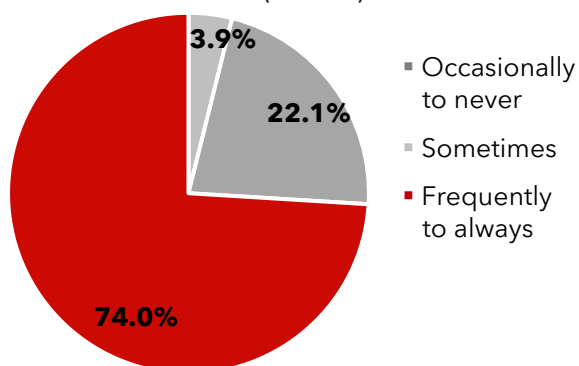
Main constraints faced by participating legal professionals in Newfoundland and Labrador (in %)

Constraints in the practice	Constraint present (in %)
Qualitative overload	77.9%
Emotional demands	59.7%
Billable hour pressure	44.4%
Quantitative overload	43.4%
Work-life conflict	41.7%
Long work hours (≥ 50 hrs/week)	36.8%
Lack of resources	26.0%
Job insecurity	18.3%
Pressure to perform	7.1%
Workplace incivility	6.8%
Workplace violence	4.1%

The results show that over 3 out of 4 participating legal professionals working in Newfoundland and Labrador are exposed to qualitative work overload (77.9%), indicating that their work is cognitively demanding. Moreover, Graph 2 illustrates the proportion of participating legal professionals who consider their work to be cognitively very demanding, by frequency. We can see that 74.0% of participating legal professionals in the province consider their work to be cognitively demanding, with a frequency ranging from frequently to always.

Graph 2

Frequency at which participating legal professionals in Newfoundland and Labrador consider their work to be mentally taxing (n = 77)



While being exposed to job demands can be a source of good stress, or motivation, studies show that, conversely, excessive exposure is likely to have the opposite effect and result in cognitive fatigue (Subramanyam et al., 2013) and to lead to a variety of mental health issues including burnout (Su et al., 2018). As cognitive demands are closely linked to skill utilization, studies have also shown that excessive skill utilization prevents professionals from taking advantage of a degree of routine in their work, which is essential in order for them to be able to de-stress at certain times of the work day or week (Marchand et al., 2006).

The following excerpts highlight the challenges and pressures that the participating legal professionals in Newfoundland and Labrador face on a daily basis with regard to qualitative overload.

“I mean, if I could sum up my issue, it’s the volume. It is the sheer volume of work. I’ve been doing this for 23 years and I have never, ever had a slow day.” **NL-1**

“I think the biggest mental demand that I have in this job is just managing so many different little things [...]” **NL-2**

“There’s always stress with time and deadlines; and when things need to be filed and prepared, of course, that’s driven by procedure. So, you know, there’s always that time pressure [...]” **NL-3**

“there’s always trauma, the stakes are always high [...]” **NL-3**

These excerpts underscore the constant and heavy workload, the cognitive demands required to manage all of the additional tasks, the pressure associated with time constraints and deadlines, and the often traumatizing nature of the cases undertaken in legal practice.

As shown earlier, the second most important constraint for the participating legal professionals in Newfoundland and Labrador relates to emotional demands (59.7%). At least one out of two participating legal professionals reported being exposed to high emotional demands with a frequency ranging from frequently to always. Coupled with the qualitative overload described previously, emotional demands can negatively impact the wellness of legal professionals. These emotional demands notably stem from the ever-present conflict and crises experienced by participating legal professionals, as illustrated by the following excerpt.

“I think emotionally it’s hard to know how to take in. It’s sometimes because you’re just always in conflict, and it’s just like there’s always something happening around you and sometimes there’s not much you can do about it, but just living in that people in crisis kind of space, it’s very stressful sometimes because it’s not your crisis, but you’re still here [...]” **NL-6**



It can be emotionally taxing for legal professionals to feel powerless to resolve a situation, even when the crisis in question does not directly pertain to them. The emotional impact makes itself felt simply through exposure to tense and conflict-driven environments. Over time, legal professionals' emotional investment and repeated extensive exposure to such demands is likely to lead to secondary traumatic stress, compassion fatigue or vicarious trauma (Rauvola et al., 2019). Certain areas of legal practice put legal professionals at particular risk. This is particularly true of criminal law, or for legal professionals working in youth criminal justice, for example, as reported by the participant in the following excerpt.

“You’re dealing with traumatic things that have happened to children, all the time. That’s a normal day.” **NL-3**

The use of the phrase “that’s a normal day” in the excerpt suggests that these traumatizing experiences are part and parcel of their daily lives.

The third most important constraint identified in the workplaces of the participating legal professionals in Newfoundland and Labrador is the pressure to meet billable hours, with just under half (44.4%) of the participants raising it.

Billable-hour targets are an important stressor in many legal environments, both in Canada and elsewhere in the world (Cadieux et al., 2022; NYSBA, 2021). This is due not only to the pressure to perform that stems from this business model, but also to the fact that expectations around billable hours compound other important stressors in the practice of law, including:



- **A heavier workload:** legal professionals are required to manage several files simultaneously in order to achieve expected targets.
- **Increased exposure to emotional demands:** resulting directly from the heavier workload and linked to the higher number of cases taken on to meet billable-hour targets.
- **More hours worked:** billable hours represent less than 70% of actual hours worked, as demonstrated in Phase I of this project (Cadieux et al., 2022);
- **Greater work-life conflict:** due to long hours worked.

As regards constraints, 36.8% of the participating legal professionals in Newfoundland and Labrador feel they work long hours, in excess of 50 hours a week. That being said, studies have shown that very long working hours expose legal professionals to job-related mental health issues, including increased symptoms of psychological distress, depressive symptoms and anxiety (Cadieux, 2012; Suwazono et al., 2003; Virtanen et al., 2011).

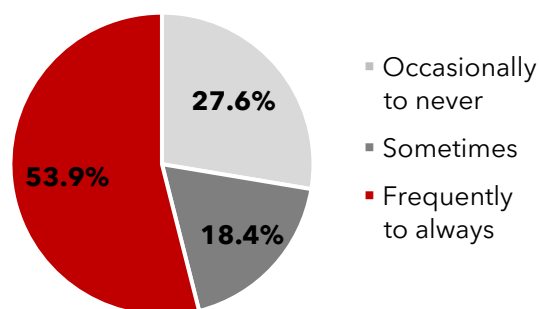
These long working hours reported by legal professionals in particular reflect their heavy workloads and the resulting pressure to deliver. Not only can this pressure compromise their work-life balance, but it can also be detrimental to their wellness. As one of the participating legal professionals in Newfoundland and Labrador noted in the foregoing excerpt, time management is of the utmost importance, as any delay can cause significant financial losses. That dynamic creates a culture where speed and efficiency are imperative, which can lead to extremely high levels of stress for the legal professionals involved.

“[...] it’s more about those things that can be stressful [...] tight deadlines... [it’s also] not having [...] enough resources to do the work [...]” **NL-4**

Finally, in percentage terms, quantitative overload (43.4%) and work-life conflict (41.7%) rank 4th and 5th among the constraints identified. The two themes are intertwined and interrelated, given that 53.9% of the participants feel they lack the time to deal with emergencies at work, or do not have enough time in the day to carry out various tasks. In this regard, Graph 3 illustrates the frequency at which the participating legal professionals in Newfoundland and Labrador consider their work to be difficult to manage due to urgency and lack of time.

Graph 3

Frequency at which participating legal professionals in Newfoundland and Labrador consider having so many urgent matters to deal with at work that they don’t have enough time in a day to do all their tasks (*n* = 76)



OVERVIEW OF RESOURCES

When it comes to resources, Table 6 shows the proportion observed among participating legal professionals in Newfoundland and Labrador of various resources that could potentially alleviate constraints and have an impact on the mental health of legal professionals.

It is important to bear in mind that relatively low proportions do not necessarily reflect a weak correlation or the absence of a link between any resource and the mental health indicators. They reflect only that those resources are less present among the sample of participants.

Table 6

Main resources present in the practice of participating legal professionals in Newfoundland and Labrador (in %)

Resources in the practice	Resource present (in %)
Skill utilization	92.2%
Telework	91.8%
Consistency of values	70.1%
Work autonomy	59.7%
Recognition	55.1%
Support from colleagues	50.7%
Support from superior	50.0%
Career opportunities	20.4%

The resources most present in the practice of participating legal professionals in Newfoundland and Labrador are skill utilization (92.2%), telework (91.8%), and consistency of values (70.1%). It is not surprising to see that telework enjoys such a high percentage, with slightly over nine out of ten participants citing it as a resource. In fact, while the degree of adoption of telework in Newfoundland and Labrador is no higher than in other provinces, 85.6% of legal professionals worked remotely during the COVID-19 pandemic (Cadieux et al., 2022).

”

“In my current job we have sources of camaraderie and teamwork. [...] If you got this difficult thing coming up and [you’ll] find someone [that says] let me take this for you or let’s talk about it. [...] I think that was the big support and keeping that opportunity would be good [...]” **NL-2**

Among the most important resources cited in the interviews conducted during Phase II of this project, support in the workplace is the one most often raised by the participants. The impact of this resource is palpable and cuts across several interviews conducted in Newfoundland and Labrador, as the foregoing excerpts show. The following excerpt highlights the participant’s ability to rely on their colleagues in an emergency situation. This builds a feeling of solidarity within the team.

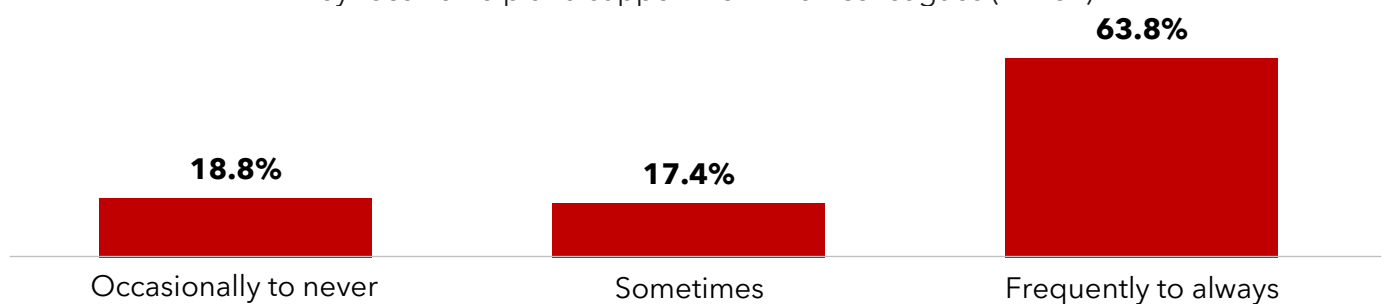
“Well, when I’ve been faced with emergencies or multiple emergencies at the same time [...] I’m able to rely on the other lawyers in the office to handle things when I wasn’t able to do it.” **NL-1**

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Among participating legal professionals in Newfoundland and Labrador, 63.8% reported that they frequently to always receive help and support from their colleagues, as illustrated in Graph 4.

Graph 4

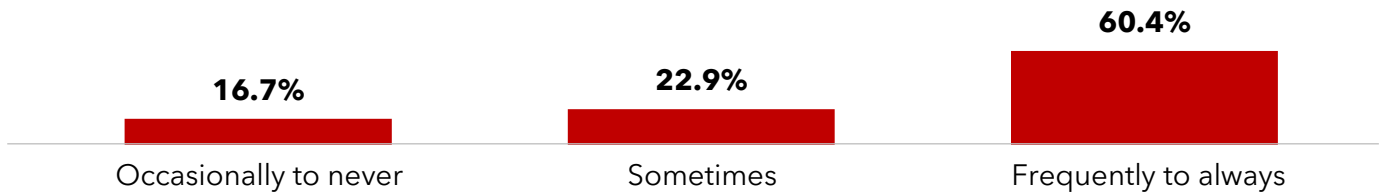
Frequency at which participating legal professionals in Newfoundland and Labrador consider that they receive help and support from their colleagues ($n = 69$)



As shown in Graph 5 regarding support from supervisors, the statistics are similar, with 60.4% responding that they frequently to always receive help and support from their supervisors.

Graph 5

Frequency at which participating legal professionals in Newfoundland and Labrador consider that they receive help and support from their superior ($n = 48$)



Admittedly, the relatively limited sampling of Newfoundland and Labrador legal professionals did not allow us to conduct robust association analyses between the constraints and resources presented above and the various mental health indicators measured in the province. However, the nationwide analyses conducted as part of this project, in keeping with the current literature, allow us to hypothesize a direct link between several of these factors and the mental health of participating legal professionals in Newfoundland and Labrador. These constraints and resources therefore serve as means whereby organizations can reduce the pressure on professionals' mental health, and thus sustain their professional practice.

1.3 THEME 3 | COPING STRATEGIES AND LIFESTYLE

Authors: Chloé St-Jacques, Ph.D. candidate CRHA, Prof. Nathalie Cadieux, Ph.D., CRHA

Coping strategies and lifestyle was the third most important theme for participating legal professionals in Newfoundland and Labrador. Faced with similar sources of stress, not everyone reacts in the same way. Tolerance to stress can be affected by many factors, including genetics, coping strategies, and lifestyle (Welle & Graf, 2011).

In certain circumstances, legal professionals may need to develop coping strategies to reduce or counteract the impact of the stress they experience.

The following excerpt underscores that while the participant derives some personal satisfaction from their work, their overall wellness is not solely a result of it. Beyond job satisfaction, mental and emotional health also stems from family, social and community ties, and even from good deeds, which are also a source of personal wellness (Marchand, 2004; Marchand et al., 2006).

“I get some personal satisfaction from work, but I’m not well because of work. Whatever level of wellness I have is a consequence of everything I do outside of work. So, it’s the family connections, the social connections, the community service connections. The phrase I’m looking for, you call them ‘selfless acts of service,’ but they really aren’t selfless because they’re actually what makes me feel good about myself. So, you know, that’s where I get my satisfaction, that’s where my wellness comes from.” **NL-1**

When employees work in a professional environment that typically involves responsibilities which are likely to produce high levels of stress and heavy workloads (Cadieux et al., 2022), their lifestyles are not always given the importance they deserve.

Moreover, coping strategies are extremely important, as stress can have repercussions for many aspects of these professionals’ health (McEwen, 2008). In fact, in addition to affecting the brain, stress can equally affect the rest of the body. The responses to acute stress boost coping and survival responses via the reactions of the nervous, cardiovascular, autonomic, immune and metabolic systems. To underpin sustainability in their practice, legal professionals need to develop effective strategies for coping with stress and mitigating its intensity.

MOST EFFECTIVE COPING STRATEGIES IDENTIFIED BY PARTICIPANTS FOR DEALING WITH STRESS

Based on the interviews conducted in the province, a snapshot emerged of the methods used by the participants to cope with stress in their demanding work environments. The main strategies shared by the participating legal professionals working in Newfoundland and Labrador are presented in the following pages.

Assertiveness: the ability to set limits and to choose priorities

The line between personal and professional often becomes blurred. This is particularly true for the participating legal professionals who face stressful challenges. The following excerpts focus on situations that illustrate how individuals can manage to draw clear boundaries between their

professional and personal lives by putting the emphasis on carefully managing time and priorities. Strategies such as these contribute to more effective stress management and overall wellness.

“I make it. I make time. You know, I have refused to compromise family and those extracurricular things I’m interested in doing. [...] I never have been prepared to compromise family time for work.” **NL-1**

“My time management is what I use to make sure that, you know, deadlines are met and being flexible and able to focus and work on things that need prioritization at any particular time and get those things done when they’re required to be done.” **NL-3**

Support: a precious resource for coping with work-related stress

Some participants clearly underscored the importance of having access to support as an important resource for coping with stress and facing the challenges inherent in professional practice. In that regard, studies have shown that a lack of social support from colleagues at work is associated with higher levels of professional burnout among lawyers (Maslach, Schaufeli & Leiter, 2001). This is all the more true in a context where stress levels are relatively high (Cohen & Wills, 1985), since support from colleagues reduces the overall level of stress experienced at work (Viswesvaran, Sanchez & Fisher, 1999).



The participating legal professionals were evaluated on the level of support they received (Cadieux et al., 2022). Graphs 6 and 7 on the following page show the proportions of support relative to the absence or lack of support versus the presence of support from colleagues and superiors, respectively. Graph 8 shows the proportions of low to moderate presence versus high or very high presence of participants’ non-work related support.

The following excerpts offer insightful perspectives on the importance of a support network.

“I think I have a very good support system here, and there’s really a culture of just everybody’s always popping into each other’s offices and asking for advice. And like I’ve had a number of people proactively reach out to me to offer support. I like to talk about things and I think it’s been pretty good.” **NL-6**

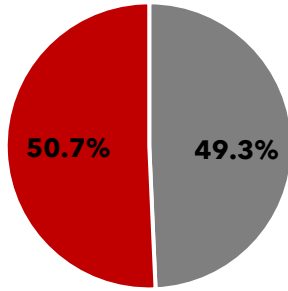


“Passions or hobbies... Family is the number one for me. I spend as much time with my kids, as I always have, since they were little. [...] My wife, friends, spending time with our friends, those are the passions. That’s how I like to spend my time.” **NL-1**

“I have family that’s here nearby that is also helpful in getting away and doing things that absolutely don’t relate to law whatsoever. I find it’s very helpful.” **NL-3**

Graph 6

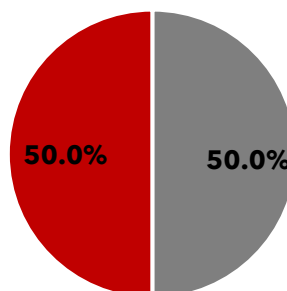
Proportions of participating legal professionals in Newfoundland and Labrador regarding the support from colleagues ($n = 69$)



- Absence or lack of support
- Presence of support

Graph 7

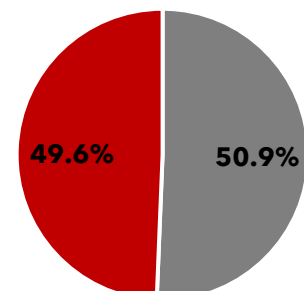
Proportions of participating legal professionals in Newfoundland and Labrador regarding the support from their supervisor ($n = 48$)



- Absence or lack of support
- Presence of support

Graph 8

Proportions of participating legal professionals in Newfoundland and Labrador regarding the non-work related support ($n = 81$)



- Low to moderate non-work related support
- High to very high non-work related support

Personal fulfillment: the importance of day-to-day non-work related activities

As several participants noted, involvement in non-work related activities can play an important role as a coping strategy when dealing with stress. The following excerpts highlight how the participating legal professionals in Newfoundland and Labrador integrate non-work related activities into their day-to-day professional lives to promote balance and wellness.

“

“I think this is something I’m still kind of figuring out. But I do go to therapy, I go to massage therapy, I exercise a lot. I sometimes have an entire evening knitting socks and, not thinking about anything. So, I think, it’s having the time to disconnect from my job. It’s really, really important.” **NL-6**

“Television, movies, podcasts, audible—I like audiobooks—walking, [...] socializing with friends, that’s important to me. We’ve got a really good friend group that we spend time with on the weekend.” **NL-1**

”

COPING STRATEGIES THAT COMPROMISE LEGAL PROFESSIONALS’ HEALTH

Alcohol or drugs are sometimes used as a coping strategy for dealing with stress, but they can have a detrimental effect on legal professionals’ health. For example, heavy alcohol consumption implies increased risk of a large number of health problems, such as dementia, breast cancer, colorectal cancer, cirrhosis, upper digestive tract cancer and alcohol dependence (Grønbaek, 2009).

Alcohol consumption

Table 7 shows that the proportion of participating legal professionals in Newfoundland and Labrador who consume alcohol four or more times per week is 21.0%. This proportion is slightly higher compared to participating legal professionals in neighbouring provinces (20.1%). However, this proportion is slightly lower when compared to other Canadian provinces and territories.

Table 7

Proportions of participating legal professionals in Newfoundland and Labrador who consume alcohol 4 or more times a week, by main place of practice

	Newfoundland and Labrador	Other Atlantic provinces	Western Canada	Central Canada	Territories
4 or more times per week	21.0%	20.1%	23.7%	24.0%	26.9%

High-risk profiles

Alcohol consumption among participating legal professionals can be analyzed based on two distinct profiles, i.e., low-risk consumption (AUDIT-10 Score < 8) and high-risk consumption (AUDIT-10 Score ≥ 8). 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 compares the proportions of alcohol consumption observed among participants in Newfoundland and Labrador with those observed in other Canadian provinces according to different AUDIT-10 thresholds (Babor et al., 2001).

Table 8

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

	Newfoundland and Labrador	Other Atlantic provinces	Western Canada	Central Canada	Territories
Low-risk consumption (AUDIT-10 score < 8/40)	74.1%	77.9%	80.8%	79.7%	73.1%
Dangerous or harmful consumption (high risk) (AUDIT-10 score ≥ 8/40)	21.0%	16.8%	14.0%	15.3%	20.4%
Probability of alcohol dependence/moderate to severe alcohol use disorder (high risk) (AUDIT-10 score ≥ 15/40)	4.9%	5.3%	5.2%	5.0%	6.5%

The analysis of responses obtained for these different thresholds shows that 21.0% of participating legal professionals in Newfoundland and Labrador scored between 8 and 14 on the Alcohol Use Disorders Identification Test (AUDIT-10), a threshold which is associated with dangerous or harmful consumption (Babor et al., 2001). The results also indicate that 4.9% of legal professionals working in Newfoundland and Labrador have a score equal to or greater than 15/40, indicating the likelihood of alcohol dependence or moderate to severe alcohol use disorder.

Lastly, Table 9 below shows the proportions of alcohol consumption considered “low risk” (AUDIT-10 score < 8) and “high risk” (AUDIT-10 score ≥ 8) (Babor et al., 2001) by selected participant characteristics. These characteristics provide a general portrait of low-risk and high-risk alcohol consumption profiles among participants.

Table 9

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

		Low-risk consumption (AUDIT-10 score < 8)	High-risk consumption (AUDIT-10 score ≥ 8)
Global	All	74.1%	25.9%
Gender²	Women	78.3%	21.7%
	Men	70.6%	29.4%
Work experience	0-9 years	59.1%	40.9%
	10 years or more	78.6%	21.4%
Billable-hour targets	No	76.2%	23.8%
	Yes	66.7%	33.3%
Quantitative demands	No	80.0%	20.0%
	Yes	67.7%	32.3%

More specifically, they show that among participants legal professionals, 78.3% of women presented a low-risk consumption profile compared with 70.6% of men. They also show that a greater number of participants presenting a low-risk alcohol consumption profile work in environments that do not include billable-hour targets (76.2%) and high quantitative demands (80.0%). However, it is important to note that the sample size for these analyses does not make it possible to conclude whether or not these observed differences are significant.

Drug use

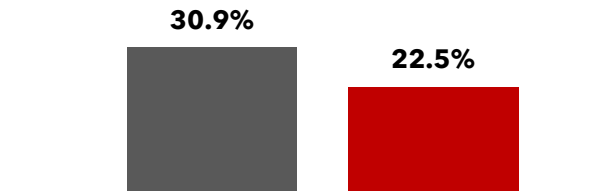
Graph 9 shows that almost one in three (30.9%) legal professionals working in Newfoundland and Labrador had used drugs for non-medical purposes in the twelve months preceding the survey. By comparison, the proportion in other Canadian provinces and territories is 22.5%.

² Given the limited sample of genders other than men and women, only those two were compared.

Graph 9

Proportions of participating legal professionals as regards use of drugs other than medications administered for medical purposes in the 12 months preceding the Phase I survey (Cadieux et al., 2022) (in %)

■ Newfoundland and Labrador ■ Rest of Canada



In summary, coping strategies and lifestyle present a challenge for many participating legal professionals in Newfoundland and Labrador. This leads into the discussion around the solutions put forward by the community, as detailed on the next page.

1.4 POTENTIAL SOLUTIONS PUT FORWARD BY PARTICIPATING LEGAL PROFESSIONALS

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

The interviews conducted with participating legal professionals working in Newfoundland and Labrador allowed different solutions to emerge; these are broken down into two focus: (1) Training and entry into the profession; and (2) Support available to legal professionals in their practice. These solutions revolve around the same idea: improving the framework for legal professionals and future professionals. Those brought forward by the participants are presented below.

FOCUS 1: TRAINING AND ENTRY INTO THE PROFESSION

Expand on the practical elements of training³

One observation shared by several participating legal professionals across Canada with regard to training is that it focuses far more on theory than practice. This sometimes results in a disconnect between learning and work experience on entry to the profession. Box 1 contains several excerpts from interviews conducted in the different provinces that support this finding.

Box 1

Excerpts from participating Canadian legal professionals regarding their views of the training they received

- "I don't think I was well prepared." **New Brunswick (NB-2)**
- "[...] in law school, we really just went into theory and everything behind, why the law is law, but we didn't really learn how to interpret what needs to be done. We didn't have as much training on practical matters [...]. So, it was a steep learning curve coming out of law school and into practice for sure." **New Brunswick (NB-3)**
- "[...] it generally teaches, you know, it teaches you what the law is to some extent, teaches you how to research. It doesn't actually teach you to write or drafting skills that will be helpful in the real world of being a lawyer. But in terms of actual practice, law school did not prepare me at all." **Nova Scotia (NS-1)**
- "I feel like most lawyers would tell you I don't think law school prepares anyone for the law profession. [...] And I even find articling in some somewhat, that transition was like throwing you in the deep end of the pool and you don't know how to swim." **Nova-Scotia (NS-2)**
- "[...] school is not practical at all. It's more like the theory around the law, not actually what it's like to practise." **Nova Scotia (NS-5)**
- "I don't think it really did. I think law school is prepared for the content of it. But it didn't prepare me for dealing with people part of what makes up what I do every day. [...] just kind of-taking care of yourself and taking care of other people's situations as well." **Prince Edward Island (PEI-3)**

³ It's important to note that there is no law school in the province of Newfoundland and Labrador. However, the solutions put forward by participants concerning law school training relate to the training they received in Canada.

Box 1 (cont'd)

- "So, my legal studies, I don't think adequately prepared me or my articles, really. Maybe with the nature of family law, you're really dealing with people at a difficult time. Their emotions are all over the place. They're not thinking logically often. Back when I did my schooling, there is nothing really about that. How to deal with people." **Prince Edward Island (PEI-4)**
- "In my opinion, law school basically is very academic. It's very much about understanding, thinking, and learning how to find answers. It teaches you very little about the practice of law itself. And I think that is one of the problems with the profession is that individuals are thrown into this when they start practice, and they don't have the preparation they need to begin a practice." **Newfoundland and Labrador (NL-2)**
- "I think studying doesn't really prepare you for the job itself." **Ontario (ON-8)**
- "But when I went to law school, you did not learn anything about being an actual lawyer. You just learned law. [...] I was probably better trained to be a law professor than a lawyer because I understood the law, but I didn't understand the practice of law." **Ontario (ON-2)**
- "I think that law school focuses too much a lot on theory and reading the law and not enough on the practical side. [...] I don't think that law school equipped me necessarily for how to be successful in day-to-day practice." **Ontario (ON-9)**
- "I don't think they prepare you at all. I think that law school didn't prepare me for articling and didn't prepare me to be a lawyer." **Manitoba (MB-3)**
- "I guess today, a lot of the line that you get from law school is that they don't teach you how to be a lawyer, they teach you how to think like a lawyer. And it's a little bit more academic study. [...] And so, I was really not prepared for practice at all in practice." **Nunavut (NU-1)**

That being said, one participant in Newfoundland and Labrador suggested that similar importance be given to both the practical (know-how) and theoretical (knowledge) aspects of training. This would have the effect of limiting the gap between the theory covered by training and the real-life situations experienced in the practice of law. While articling can help consolidate know-how and foster practical learning, its contribution is likely to differ from one internship setting to the next, and from one internship supervisor to another. For example, a supervisor's workload, if it is relatively high, would be likely to minimize the time they have available to devote to coaching an articling student. The participant below remarked that it sometimes seems like a game of chance, "kind of the luck of the draw" to see what kind of supervisor an articling student will be assigned to.

“

"But the schooling itself was theoretical. You just you go, and you learn how to research, you learn about the law, but you learn nothing about practice. [...] You need the theoretical, but you need just as much of the practical training. Because you can know all about the theory, but when you get somewhere in someone hands... for example when you meet with a client and they're like here go, make this happen in court, there's that huge disconnect. And I think the idea is to get that from your articling experience. But it's kind of luck of the draw, what kind of a supervisor you get or how busy they are. Maybe you are articling with a firm or a practice that does one area of law, then where are you getting the rest of it if you don't end up practising there? I've always felt that I think law school needs to be shorter and practical needs to be longer." **NL-2**

Provide more effective coaching on entry to the profession

One participant commented that they would like to have had better orientation during their articling or bar studies. This would have better prepared them for the things they had to deal with in their legal practice. This participant's solution would allow articling students, on entry to the profession, to know what to expect and where to look for the necessary support. Such an approach would also encourage open discussion about the issues that new legal professionals will face in their practice.

”

“I think part of it is a recognition and preparation for [the demands of the profession]. You know, if someone had sat down with me during my orientation as an articling student or even during the bar course and said, like, you know, this is the kind of stuff you're going to be dealing with, here is where you get support for that, because you can't avoid it, you're going into this profession. But if you don't know what you're getting into.... and so just talking about it, and being open about it, would be one huge thing for me.” **NL-2**

Formalize mentorship on entry to the profession and make mentorship an integral part of training for legal professionals

This same participant spoke of the need to review the requirements for mentorship as part of training, and to make it a more structured element for both young lawyers and junior lawyers and for articling students. In that regard, among other things, they spoke of the need to have a mentor with whom a mentee can meet on a regular basis and feel comfortable talking to about the issues they experience in the practice of law.

”

“I think there needs to be more requirements for mentorship as part of training. And I don't mean just this person is going to supervise you while you do your trial. I mean, there need to be requirements for having a person whom you meet with regularly, [...] not someone who works for your firm or your organization. Probably that would be better if there was some sort of more formalized mentorship program for young lawyers or junior lawyers as well, not just when you are articling” **NL-2**

This approach to mentorship would aim to encourage trainees and new professionals to talk over their concerns around the practice of law with a mentor or a seasoned professional who can relate to them.

FOCUS 2: SUPPORT AVAILABLE TO LEGAL PROFESSIONALS IN THEIR PRACTICE

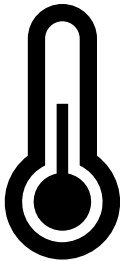
More regular support from supervisors to respond to difficulties in practice

Support from supervisors is an important resource, but one that is sadly lacking for 50.0% of the participating legal professionals in Newfoundland and Labrador surveyed during Phase I of this study (Cadieux et al., 2022). In keeping with this, one participant stated that more regular and meaningful supervision would be very helpful in their practice, as illustrated in the following excerpt. This type of supervision would align with integrated support whereby legal professionals would be able to talk over what they are facing with supervisors or partners who have an understanding of when things get difficult and who can provide additional support.

"I would think if there were more supervisory oversight and context, something that was regularly scheduled and meaningful that would be very helpful." **NL-3**

"Well, it would be sort of built-in support, right? So, then I'm talking to somebody else about what I'm dealing with all the time. And they can understand when something has come along that's more challenging, and they have the insight to provide further support. So, I wouldn't have to ask for it, right? And sometimes you don't realize yourself because the things sort of, you know, it's like the temperature goes up slowly and you don't realize how hot it's gotten. So, sometimes you sort of are doing your own thing and dealing with everything and not realizing that the pressures built over time. Whereas if there's a supervisor who is consistently monitoring that and working with me and understanding what it was, I was dealing with. Then you know, there's that other set of eyes to recognize when you know, maybe: 'that is grown to a level that maybe we should get somebody to support you on this.' Or maybe 'This is a file where we should do a second chair and we'll have somebody else come in and help you with this' or, you know. But that sort of thing just doesn't happen." **NL-3**

”



This participant also expressed that legal professionals can be unaware that the pressure is building up, likening it to the temperature slowly rising to the point where it becomes hot without them even realizing it. In that respect, they suggested that if there were a supervisor working with them, who understood what the participant was facing, and who constantly monitored the situation, consistent support would emerge. Thus, there would be a second set of eyes on the situation to recognize any issues at stake on a file, and the immediate superior would be able to assign support.

Another participant also mentioned support from managers or partners, including recognition, as another important resource, but one that was absent for almost half of the participating legal professionals in Newfoundland and Labrador (44.9%). This participant considered that resource to be important because it means that a person in authority recognizes the difficulties involved in the work, and appreciates its value and the time invested in it.

”

"There are lots of systemic things I'd like to change, but the big thing would be support and acknowledgement. I think over those years when it was particularly bad—what I like about my current workplace is that, you know, I've had a few managers in the difficult jobs who praise the job we do, 'thank you for what you're doing,' 'thank you for working last night,' 'I know this is hard, do you want to talk about it?' 'What can we do to help you?' [...] One would just be a verbal acknowledgement or in an email, just to say like: [A] I see that this is really a lot and [B] thank you and good work. Just very simple. And the other thing would be a feeling that my supervisor is doing what they can and not just giving lip service." **NL-2**

Formal and mandatory support to prepare and guide legal professionals around the trauma they can experience from cases that present heavy emotional demands

Lastly, one participant stressed the importance of formal, mandatory support for situations where cases present highly charged emotional demands, such as prosecutions for child pornography. Such emotional demands can cause vicarious trauma for the legal professionals involved in cases of that type.

”

“I think there needs to be support and perhaps even mandatory support in those kinds of environments. Like when I was working with child pornography prosecutions, the police who are doing these, have mandatory assessments, they have mandatory counselling to attend. I asked for that and was told no. I went through EAP, I did deal with it on my own, but I said, like, can we set something up? Can we get someone in here to do some coaching? Or can we set up even like a more formal peer support? And I was told no. So, it’s appalling to me, frankly, that I should have to be advocating for that.” **NL-2**

In fact, this participant pointed out that police officers working on such files are required to undergo mandatory assessments and counselling sessions on the difficulties related to working on these types of files, a requirement that does not exist for legal professionals. The participating legal professional requested the same, but was refused. They noted that they were shocked to have to advocate for it. To achieve it, the proposed solution consists of formal, mandatory support for legal professionals facing heavy emotional demands, by assigning counselling and assessment sessions, with a view to wellness in the practice of law.

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

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 seven different major initiatives stemming from seven recommendations. Table 10 presents each of these initiatives and compares them to the recommendations made by Cadieux et al. (2022). This table shows that certain proposed initiatives are in line with the needs expressed by participating legal professionals in Newfoundland and Labrador and reported in this report concerning the importance 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 Newfoundland and Labrador 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 10 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 partners organizations involved, i.e., the Federation of Law Societies of Canada, the Canadian Bar Association, and the Law Society of Newfoundland and Labrador.

Table 10

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

Initiative	Initiative-related recommendation(s) from Phase I
(i) A mandatory continuing professional development (CPD) session on wellness.	3) Improve the continuing professional development (CPD).
(ii) The Law Society of Newfoundland and Labrador administers a mandatory continuing professional development program to ensure the competency and ongoing development of its members.	3) Improve the continuing professional development (CPD).

Initiative	Initiative-related recommendation(s) from Phase I
(iii) Creation of a fitness-to-practice program/commission. This program will offer an option for diversion from the traditional disciplinary route when it appears that mental health and wellness issues are in play.	5) Implement actions aimed at destigmatizing mental health issues in the legal profession.
(iv) Development of a wellness toolbox comprising a kit combining knowledge, positive habits and resources that legal professionals can invest in to support their health and wellness. This tool helps to identify indicators of difficulties and to roll out practical strategies and actions to alleviate them.	6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
(v) The Indigenous Education and Action Committee works within the legal profession to advise, educate and advocate around reconciliation with the Indigenous peoples of Newfoundland and Labrador, including implementing the Truth and Reconciliation Commission Calls to Action. The committee's responsibilities include, without limitation, the following: working with Indigenous communities to access and promote Indigenous legal traditions and knowledge; educating the legal community, including continuing legal education and the bar admission course, as well as the broader community; gathering and promoting resources and tools to help ensure Indigenous cultural competency among members of the Law Society of Newfoundland and Labrador; involving Indigenous members of the Law Society in the work of this committee.	7) Promote diversity in the profession and revise practices, policies and procedures that may include or create discriminatory biases.
(vi) The Law Society of Newfoundland and Labrador are promoting wellbeing in the Legal Profession as one of their strategic initiatives for 2012-2024.	8) Consider the health of legal professionals as integral to legal practice and the justice system.

Initiative	Initiative-related recommendation(s) from Phase I
(vii) Following a thorough review involving the Bar Admission Committee and the Education Committee, significant changes have been made to the articling program, the bar admission course and the rules governing articling principals. These changes are designed to enhance the educational experience and better prepare candidates for the practice of law, while promoting well-being upon entering the profession. Firstly, a more standardized approach is being employed in articling program admission requirements to ensure consistency of experience. In addition, emphasis has been placed on the development of practical skills, including exercises such as Supreme Court short case applications, administrative tribunal exercises, provincial court bail, trial and conviction hearings, and conflict resolution workshops. This course is also designed to introduce students to critical topics such as professional conduct, practice management, trust account rules and client identification requirements, trauma-informed practice, equity, diversity and inclusion (EDI) and aboriginal cultural awareness. As well, the Training Committee is empowered to investigate a member's suitability to act as a training director, and the Bar is empowered to conduct internal audits.	1) Improve preparation of future professionals to support them to deal with psychological health issues; 2) Improve supports and guidance available at entry to the profession; 3) Improve the continuing professional development.

1.6 TARGETED RECOMMENDATIONS OF THE RESEARCH TEAM

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As previously mentioned, the Law Society of Newfoundland and Labrador has implemented a number of initiatives in recent years to support the well-being of legal professionals working in the province in order to better protect the public. Among these initiatives, they included the creation of a fitness-to-practice program, which will enable certain professionals grappling with a mental health issue to be offered an alternative channel to the traditional disciplinary route. This type of action not only helps to destigmatize mental health issues within the profession, but also increases the potential for legal professionals to reach out for help when they feel the need.

These initiatives are a source of inspiration and are paving the way towards the future of the profession in Newfoundland and Labrador. 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 Newfoundland and Labrador; (3) the identified initiatives that are currently being implemented by the Law Society of Newfoundland and Labrador; 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 DEVELOP A CULTURE OF MEASUREMENT

Considering the initiatives that have been implemented in Newfoundland and Labrador, it appears crucial to reevaluate health indicators and analyze the impacts of the programs implemented. Without such evaluation, it remains difficult to verify if the ongoing initiatives have effectively reached their objectives. Implementing measures on a periodic basis would not only allow for assessing the relevance of these actions in relation to local needs but also for readjusting strategies if necessary, or simply improving these initiatives from a perspective of continuous improvement.

Developing a culture of measurement presents numerous advantages. It allows for the creation of a clear baseline to evaluate progress, identify areas needing adjustments, and ensure the effective allocation of resources. Additionally, it promotes increased transparency and strengthens the accountability of stakeholders involved in these initiatives. Continuous and systematic evaluation also contributes to a better understanding of the changing needs of professionals, thus enabling the adaptation of programs to effectively meet these needs.

Moreover, a report published by the International Bar Association in 2021 is unequivocal in stating that the fourth principle for mental health and well-being in the profession involves:

"A commitment to change, and regular continuing assessment, is needed: Having acknowledged the importance of protecting and promoting mental wellbeing for the profession, the next step is to make changes to tackle the current crisis" (IBA, 2021, p. 10).

By adopting an approach based on measurement and continuous evaluation, Newfoundland and Labrador can not only ensure the effectiveness of its initiatives but also ensure that they evolve in response to the real needs of the legal profession.

RECOMMENDATION 2

IMPROVE THE SUPPORT AND GUIDANCE AVAILABLE WHEN ENTERING THE PROFESSION

As presented in section 1.5, the Law Society of Newfoundland and Labrador has made significant advances in recent years to improve the well-being of legal professionals in the province. For example, the Law Society has made substantial changes to the articling program, the bar admission course, and the rules concerning articling principals. These are crucial steps before formal entry into the profession.

However, following the completion of the bar admission course and the articling program, entering professional life remains a source of multiple challenges. It involves integrating knowledge acquired during training, and developing work tools to improve day-to-day work processes and organization, etc. Every day involves something new that young professionals can feel ill-equipped to deal with. Without previous experience to call on, it becomes difficult to put the challenges they face into perspective and determine whether what they are feeling is normal or not. That being said, this is a time that is particularly important later on in a career, because the early years help to shape a young legal professional's image of the profession and how they see their career developing. It is during this stage, unfortunately, that many young professionals are vulnerable and, without having adequate support, may consider leaving professional practice. In this context, it is vital to prioritize the support and guidance available to legal professionals upon entering the profession.

Two vectors are relevant in this context. The first is mentorship. Regrettably, while several mentorship programs exist in Newfoundland and Labrador and across the country, a great many young professionals still do not have access to them. Note, furthermore, that such programs are not mandatory. For those who do have access, the benefits derived from the experience depend largely on the quality of the mentoring relationship. At present, there are still many obstacles that limit access to mentoring across the country or affect the quality of the mentor/mentee relationship. Among the hurdles are the work overload present in many legal environments; the mental health of the mentors themselves, with one in two legal professionals in the country experiencing psychological distress; business models based on billable hours, where time is money; and ultimately, mentor training.

The second vector of significance is how young legal professionals are integrated into the profession. Once the articling program is completed, the regulator has limited control over the work environment where the professional will start their career. Beyond awarding degrees and issuing licences upon completion of bar exams, regulators have little control over the environment a legal professional will work in. Therefore, it is recommended that a professional integration plan (PIP) be implemented, such as suggested in Phase I of this project (Cadieux et al., 2022). Complemented by a competency grid framing the conditions of practice during the first two years of professional life, such a plan would offer better protection for young legal professionals in certain environments where they may receive less supervision and support. These vectors appear both complementary and essential to better supporting the young people who represent the future of the legal profession.

RECOMMENDATION 3

BETTER PREVENT THE CONSEQUENCES ASSOCIATED WITH LONG-TERM, RECURRENT EXPOSURE TO HIGH EMOTIONAL DEMANDS

The findings of Phase I of this project, and the interviews conducted during Phase II, leave no doubt as to the negative and systematic impact of emotional demands on health. It goes without saying that certain areas of legal practice increase exposure to such demands, and also condition their intensity. A few of the examples that come to mind include legal professionals working in criminal law, family law and youth law. Many professionals are repeatedly exposed to evidence that is difficult to absorb in human terms. And they do this while interacting on a daily basis with clients or victims in distress. It makes for a cocktail that can become a ticking bomb health-wise, and demands serious measures to prevent the vicarious traumas that can ensue from it. For this reason, it is recommended that action be taken to better prevent the consequences associated with long-term, recurrent exposure to heavy emotional demands.

Among the means of prevention are mandatory periodical learning programs for the areas of practice most exposed to this type of trauma—merely training those legal professionals will not prevent exposure to risk. That being said, it will certainly help raise awareness among legal professionals of the importance of reaching out for help when they feel the need, and recognizing the signs as soon as they appear.

These same legal professionals should also participate in a psychological health screening program with specialized psychologists above specific thresholds in terms of hours of exposure. This is a typical scenario for certain police units exposed to similar traumas. In fact, the Royal Canadian Mounted Police (RCMP) requires that police officers undergo psychological health screening every three years, and more frequently for members in high-risk positions. The program helps to reduce perceived stigma, including the stigma associated with counselling, as all police officers are required to take part (Royal Canadian Mounted Police, 2022).

In addition to these measures, workplaces also have a number of mechanisms at their disposal to prevent mental health issues, including peer support programs and arrangements around work organization. As regards work organization, valuing teamwork encourages greater proximity of support among colleagues when exposure to high emotional demands occurs. As well, more effective management of case allocation based on an analysis of the risks involved would make it possible to rotate the legal professionals exposed to those cases on the basis of the emotional risks associated with them. Lastly, it goes without saying that emotional demands only add to a combination of stressors already present in many legal environments. Therefore, it is recommended that organizations assess and take into consideration all of the risks to which legal professionals are exposed. In line with this, for instance, consider the effects on a legal professional with less than two years' practice, who has high billable-hour targets to meet, and whose practice involves heavy emotional demands. Workplaces should afford greater vigilance to profiles of this type in order to protect the health of these legal professionals and ensure that their practice is sustainable.

1.7 SUPPORT RESOURCES AVAILABLE FOR LEGAL PROFESSIONALS IN NEWFOUNDLAND AND LABRADOR

EMERGENCY RESOURCES

Professionals' Assistance Program (24 hours a day, 7 days a week)
Phone: **1-709-754-3007** or **1-800-563-9133**

Mental health crisis centre. Toll-free (24/7): **1-888-737-4668**.
Crisis line: **709-737-4668**

St. John's Waterford Hospital – Mental health and addictions.
Toll-free (24/7): **1-888-737-4668**

Mental health hotline (24/7): **709-737-4668**

Warmline from 10 a.m. to midnight daily: (EN) **1-855-753-2560** (FR) **1-833-753-5460**

SEE OTHER INFORMATION AND ADVICE RESOURCES FROM THE LAW SOCIETY NEWFOUNDLAND AND LABRADOR

- Law Society of Newfoundland and Labrador – [Wellness program](#)

PROGRAMS OR WEBSITES ON THE THEMES OF WELLNESS AND MENTAL HEALTH

- Professionals' Assistance Program [by [Homewood Health](#)]
- Wellness Together Canada: Mental health and substance use Canada. Phone: 1-866-585-0445
Text (SMS) WELLNESS to **741741**. Website: [Online peer support for Addiction](#)
- [Canadian Mental Health Association](#)
Toll-free (Monday to Friday, 8:30 a.m. to 4:30 p.m.): **1-877-753-8550**
- [The LifeLine Canada Foundation](#) (mental health and suicide prevention)
- [Lifewise](#) (peer mental health services)
- [Eastern Health](#)

SEE OTHER INFORMATION AND ADVICE RESOURCES IN THE TOPICS OF MENTAL HEALTH AND WELLNESS

- Government of Newfoundland and Labrador – [Health and community services](#)
- [Bridge the gApp](#)

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