

Work-Life Balance:

Why It Is Important for You

Gary L. Bakkel

WHAT IS IT?

Work-Life Balance. Meaningful, daily achievement and enjoyment in each of the four life quadrants: work, family, friends and self.²

WHAT'S THE PROBLEM?

Everyone seems to recognize that when your work life and your personal life are out of balance, bad things happen. The significance of the issue may be indicated by the fact that Wikipedia, the free on-line encyclopedia, has a full article on work-life balance and the detrimental effects for those of us that don't get it right.³ Even the Mayo Clinic has an article on its website that offers suggestions for getting the work-life balance right.⁴ Interestingly, the Mayo Clinic also has a webpage "Learn How to Say No"⁵ and "Time Management: Tips to reduce stress and improve productivity".⁶

So, why all the concern? If we choose to work hard at the expense of our personal life, so what? All the experts link an unbalanced work-life emphasis to increased stress. And increased stress is directly linked to poor health and general unhappiness.

Work-life balance is most often described in the negative, i.e. the absence of a healthy balance. The Wikipedia article states that the term was first used in 1986 to help explain the unhealthy life choices that many people were making. The article explains that more and more people were choosing work related chores and goals and neglecting other important areas of their lives such as family, friends, and hobbies. It quotes a book by, Madeleine Bunting, *Willing Slaves - How the Overwork Culture is Ruling our Lives*, in support of the fact that in the 20 years from 1977 to 1997 American workers increased their average working hours from 43.6 hours to 47.1 hours per week, not including commuting time. Americans are experiencing burnout due to overwork and increased stress in nearly all occupations from blue collar workers to upper management. The statistics that we will get to in a minute show that lawyers are not immune. In fact, we are suffering most.

¹ Gary Bakke is a 95% retired lawyer and one of the founders of Bakke Norman, S.C. He now operates a law office management website: www.bakkeconsulting.com and is a consultant to Lorman Education Services, an international provider of adult continuing education, including CLE. He has chaired both the family law section and the office management section of the State Bar and served as State Bar President in 2000-2001.

² <http://www.worklifebalance.com/worklifebalancedefined.html>

3 http://en.wikipedia.org/wiki/Work-life_balance

4 <http://www.mayoclinic.com/health/work-life-balance/WL00056>

5 <http://www.mayoclinic.com/health/stress-relief/SR00039>

6 <http://www.mayoclinic.com/health/time-management/WL00048>

WHAT ABOUT LAWYERS?

My personal theory is that this is a particularly difficult malady to treat because for the vast majority of lawyers, those that started practice in the mid 80s and after, this is their norm, the way it has always been. Younger lawyers don't have a different model to look back to. They have not competing frame of reference.

Most lawyers are subjected to significant stress in their day-to-day practice. Some of us thrive on it. Some of us hate it and some of us are injured by it. Too much stress causes depression. In this paper I will discuss the statistics regarding the toll that stress is taking on lawyers (Get the Facts) and I will review some of the sources of that stress (Get a Clue). Then I will review some suggestions for handling stress, both our personal reaction to stress (Get a Grip) and some lifestyle ideas that may help (Get a Life). The last section shows that there is help available for those who have not been successful on their own (Get Help).

Hopefully we can all learn to constructively handle stress and can turn to the appropriate resources in times of need.

Get the Facts.

Stress is taking a devastating toll on lawyers.

Consider the statistics:

If you Google "lawyer stress" you will get 755,000 hits.

A 1990 study at Johns Hopkins University found that of 104 occupations studied, lawyers were the most likely to suffer depression. 7 Lawyers suffered from depression at a rate 3.6 times higher than non lawyers who shared the same socio-demographic traits.

A research study of 801 lawyers in the State of Washington found that 19% suffered from depression.

Left untreated, depression can be fatal. According to the National Institute of Mental Health, 15% of people with clinical depression commit suicide.

A quality-of-life survey by the North Carolina Bar Association in 1991 revealed that almost 26% of respondents exhibited symptoms of clinical depression, and almost 12% said they contemplated suicide at least once a month.

7 Eaton, Mandel, and Garrison, "Occupations and the Prevalence of Major Depressive Disorder,"
32 J. Occupational Med. 1083-1132 (1990).

Washington and Arizona showed that most lawyers suffering from depression also have suicidal thoughts.

One study found that lawyers have a much greater risk of acting on their suicidal thoughts and succeeding in doing so. Suicide ranks among the leading causes of premature death among lawyers.

The 1992 Annual Report of the National Institute of Occupational Safety and Health reported that male lawyers are twice as likely as the general population to commit suicide.

Caution: Although these statistics are from reliable sources, they obviously use different definitions or different population bases and comparison of the statistics can produce inaccurate numbers. If 19% of all lawyers are depressed and if 15% of depressed people commit suicide, that calculates to a suicide rate of 3 per 100. That would result in over 500 suicides for Wisconsin's 20,000+ lawyers over their lifetime. We don't have lifetime statistics but intuitively, that seems much too high. It probably exaggerates the problem. But, the fact remains that regardless of the precise numbers; depression and suicide are major issues for the legal profession.

An article in the Autumn 1999 issue of Notre Dame Magazine, *Those Unhappy, Unhealthy Lawyers*, 8 makes the following points:

Lawyers are among the most unhealthy and unhappy of all professionals.

Lawyers suffer from depression, anxiety, hostility, paranoia, social alienation and isolation, obsessive-compulsiveness, and interpersonal sensitivity at alarming rates.

Lawyers also suffer from alcoholism and use illegal drugs at rates far higher than non lawyers. One group of researchers found that the rate of alcoholism among lawyers is double the rate of alcoholism among adults generally, while another group of researchers estimated that 26 percent of lawyers had used cocaine at least once, twice the rate of the general population.

One out of three lawyers suffers from alcoholism, drug abuse or clinical depression. Not surprisingly, a preliminary study indicates that lawyers commit suicide and think about committing suicide more often than non lawyers.

The divorce rate among lawyers appears to be higher than the divorce rate among other professionals and that difference is particularly pronounced among women.

People who are this unhealthy, people who suffer from depression, anxiety, alcoholism, drug abuse, divorce, and suicide to this extent are almost by definition unhappy. It should not be surprising, then, that lawyers, as a group, are indeed unhappier than other professionals, nor should it be surprising that the source of their unhappiness seems to be the one thing that they have in common: their work as lawyers.

Get a Clue⁹.

The first step to effectively managing stress is to understand its source.

Why are lawyers so unhealthy and unhappy? To state the obvious, the one thing we have in common is the legal profession. Why do so many lawyers hate what the practice of law has become? Lawyers give many reasons.¹⁰

The commercialization of the legal profession. Practicing law has become less of a profession and more of a business.

The increased pressure to attract and retain clients in a ferociously competitive marketplace.

Having to work in an adversarial environment.

Not having control over their lives and being at the mercy of judges and clients.

A lack of civility among lawyers.

A lack of collegiality and loyalty among their partners.

Our poor public image.

The hours. Almost all lawyers complain about the long hours they have to work. Thirty years ago, most partners billed between 1,200 and 1,400 hours per year and most associates between 1,400 and 1,600 hours. Today, over half of the associates and almost a quarter of the partners in private practice bill at least 2,000 hours per year. In the biggest and most prestigious law firms, almost everyone bills close to 2,000 hours, and many bill 2,500 hours or more. Given these numbers, there better be something deeply fulfilling about the work to counteract the stress. And, research demonstrates that increasing the level of financial compensation does not increase the degree of happiness.¹¹

⁹ With apologies to Sean Carter, from whom I have stolen three of these titles: Get a Clue; Get a Grip; Get a Life. <http://www.lawhumorist.com/stressmessstaff.htm>

¹⁰ Notre Dame Magazine. Op. cit.

¹¹ Diener, E. Lucas, R., Scollon, C.N. (2006). Beyond the Hedonic Treadmill: Revising that Adaptation Theory of Will-Being. *American Psychologist*, 61, 305-314.

Another view is offered by Psychologist Lynn Johnson¹² who asks, "Why are lawyers more prone than anyone else to this dangerous disease?" He points to two personality traits many lawyers have: perfectionism and pessimism. He says that it's no secret that the legal profession attracts perfectionists and rewards perfectionism. Perfectionism drives us to excel in college, in law school, and on the job. But perfectionism has a dark side; it can produce "a chronic feeling that nothing is good enough." Perfectionists are driven by an intense need to avoid failure. According to Johnson, perfectionism raises levels of the stress hormone, cortisol, and chronically high levels of cortisol lead to various health problems, including depression. And when we make the inevitable mistake, perfectionism magnifies the failure.¹³ Perfectionists are more vulnerable to depression and anxiety, harder to treat with either therapy or drugs, and much more likely to commit suicide when things go very wrong.

Johnson goes on to say that the prevalence of pessimism among lawyers is less intuitive than the prevalence of perfectionism but is nevertheless a significant factor. The same Johns Hopkins study referenced earlier shows that in all graduate-school programs in all professional fields except one, optimists outperform pessimists. The one exception: law school.¹⁴ Pessimism helps us excel: it makes us skeptical of what our clients, our witnesses, opposing counsel, and judges tell us. It helps us anticipate the worst, and thus prepare for it. But pessimism is bad for our health: it leads to stress and disillusionment, which make us vulnerable to depression.

Get a Grip.

You can't always control the circumstances at work, but you can get a grip on your reaction.

Jay Foonberg¹⁵ lists twenty "cures" and avoidance techniques to help you with your life and practice (with two extra as a bonus).

¹² Lynn Johnson, Stress Management, Utah State Bar J., Jan./Feb.2003.http://utahbar.org/barjournal2000/html/january_february_2003_0.html

¹³ Blatt, Sidney J., Ph.D. "The Destructiveness of Perfectionism: Implications for the Treatment of Depression," American Psychologist, Vol. 49, No. 12, pp.1003-1020 (1997)

¹⁴ Richard G. Uday, That Frayed Rope, Utah State Bar J., Aug./Sept. 2003.

¹⁵ Jay Foonberg is the only person to have given CLE presentations in every U.S. state and on every continent. He is also the only person to have been honored with awards for lifetime law achievements from 4 ABA groups: Harrison Tweed Award for Continuing Legal Education, Sam Smith Medal from the Law Practice Management Section, Don Rikli Award from General Practice, Solo & Small Firms Section, and Lifetime achievement and 2 platinum keys from Law Students Division. His 4 decades of teaching CLE include teaching the first Law Practice Management Classes at UNLV Boyd School of Law. His books have earned \$2,000,000 for the ABA and include the all time best seller (every year since 1977) How To Start & Build A Law Practice, 5th edition and How to Get and Keep Good Clients ,3rd edition." For more information, visit <http://www.foonberglaw.com/>

1. Recognize that drugs and alcohol are not a solution, but will make the problem worse.
2. Take care of your body. Exercise at least three times per week. You can't help anyone if you are dead and you are a liability if you are sick.
3. Fire the stress causing clients. You can probably lose 90% of your aggravation and only lose 2% of your income. They typically are poor-payers, which adds to the stress.
4. Insist on cash up-front to avoid the anxiety and stress over getting paid.
5. Fire incompetent staff.
6. Make time for family and work on your relationships with family members. Clients come and clients go, but family is forever.
7. Work on relationships with the people in your office. You need them to earn your income and to reduce your stress.
8. Don't obsess over technology.
9. Schedule nothing for Friday if you have an option. Leave open the possibility of a three day weekend and surprise your spouse or others.
10. Let macho, scorched-earth lawyers play their stupid game. They are committing suicide. Let them.
11. Don't let arrogant judges stress you. Respond only to the words they use, not to their tone of voice. Don't let their delays in rendering decisions stress you.
12. Organize your use of time so you can leave the office at 5:00 or 5:30 if you wish. Be a compulsive list maker. List making is the critical tool for being in control of how you spend your time
13. Carve out 2 hour blocks of time three times per week to do "heavy" tasks or to think about matters which require deep thought. Allow no interruptions for any reasons during these time blocks.
14. Learn how to "turn off" before you get home.
15. Learn what to neglect. Don't feel guilty when you neglect things you can't do.

16. Learn to say "no." You can't be all things to all people. Unkept promises are a constant source of stress.
17. Have an exit plan. Some day you will either want to stop what you are doing or you will have to stop what you are doing.
18. Get a pet. Even a goldfish in a bowl on your desk can relieve stress.
19. Turn off your instant e-mail notifier. Check your e-mails only at specific times.
20. When clients demand instant answers to their questions, protect yourself and the client by saying something like, "I have two answers, the instant answer and the right answer. They may or may not be the same. I am 90% certain that the instant answer is probably correct."
21. Explain to clients that you are always available to them for bonafide emergencies but that you value your time with your family on weekends and evenings.
22. Bitter pills are best swallowed as quickly as possible. Do what you have to do and move on without stressing over things that can't be changed or avoided.

While not all stress can be avoided, we as lawyers can be better people, live longer, and maintain a satisfying practice by avoiding unnecessary stress. Good luck and best wishes for a saner, less stressful life and practice in 2008!

Get a Life.

Finding a passion outside of your job can be the greatest antidote to stress.

Researchers have found two attributes of life that make people happy: 1) the nature of the work they do, and 2) the quality of their lives outside of work.

Note that happiness is related to the nature of the work we do, not the amount of time we work.¹⁶ The nature of the work that we find rewarding will be individual for each of us.

Hopefully the nature of our work will help us feel valuable, necessary, ethical, and successful. We all would like to leave the world a little better than we found it. The important point here is to distinguish the nature of our work from the amount of work we choose to do. Certainly long hours are less destructive if we love what we do, but even if we are fortunate enough to be working our passion, a personal life is still important.

¹⁶ Lyubomirsky, S. *The How of Happiness: A scientific approach to getting the life you want.* The Penguin Press, New York, 2008.

Long hours at the office don't translate into more satisfaction with the nature of the work. Every hour that we spend at our desks is an hour that we do not spend doing many of the things that provide joy and meaning for our lives. An hour at the office is one less hour with our spouses, playing with our children, relaxing with our friends, visiting our parents, going to movies, reading books, volunteering, or playing softball, collecting stamps, traveling the world, getting involved in a political campaign, going to church or working out at a health club.

Even when we do go home, we take work with us. And, how many of us work either at home or at the office on Saturday or Sunday, not just occasionally but routinely. Long hours do produce more revenue. Is it worth it? We work too much.

In my professional life I have been a partner with lawyers at the two opposite ends of the work spectrum. Both lawyers were highly successful and widely admired in the community and among other lawyers. One was at the office EVERY Saturday and Sunday. His saving grace was that he walked about two miles each way to get there and home again. But his life was his work. He had a beautiful house on the golf course and rarely took time to play golf. The other partner was an avid outdoorsman. He never missed an opportunity to hunt or to go fishing. Over the last 30 years he has basically been out of the office for the months of October and November to hunt. His tenacious insistence on preserving a personal life did not ruin his professional life and it may have even enhanced it.

The most important point of this entire exercise is to focus on some ideas to enhance the quality of our lives outside of work. The number of interesting and rewarding activities is endless. When we try to come up with a list we run afoul of our canon of construction, inclusio unius, exclusio alterius. That does not apply here. The list does not imply the exclusion of items not listed. Consider these activities.

Parenting. Being a parent certainly refocuses our self-important self image. Humbling, exciting, rewarding, important and almost every other positive adjective one can think of, and some negative too. Take time out to be a real, active parent. Your kids will be around long after your clients and associates have faded into the distance.

Outdoors. Hunting, fishing, hiking, camping, and all those activities that take us outside tend to bring life back to a more basic, more real level. There is nothing like cold wet feet or hot coffee by a campfire to push office worries to the back burner.

Aerobic exercise. Running, cross country skiing, snow shoeing, biking and swimming all promote both physical and emotional health and do wonders to relieve the stress of a hard week at the office.

Church. Lay leadership, youth mentoring, Sunday School teaching, group outings, Bible study and all of the other activities that promote a spiritual connection to the world can promote inner peace and contentment. Even the overtly non-religious can benefit from quiet meditation.

Coaching, teaching and mentoring. Sharing our skills and experience with others is extremely rewarding. There are lawyers coaching youth hockey, basketball, baseball, softball, soccer, skiing, tennis... the list is long. The satisfaction is enormous.

Relaxing. Have you seen a hammock lately? Where did they all go? Take a nap. Read a book. Listen to the birds, crickets and frogs. Chill out.

Self Study/self improvement. Learning is fun. Even more so if it is not for CLE credit. Take a course. Learn something new. Did you miss the classics? Wish you knew calculus? Curious about the new developments in physics? Art history sound like fun? There is no reason to limit yourself to photography or basket weaving. The experts say that if we challenge and stretch our minds we will stay alert much farther into old age. The opportunities for real learning are expanding rapidly and many of them are free or nearly so.

Gardening. Gardeners seem to have a special perspective on the world. It must be the nurturing oneness with nature, or is it the unending battle with weeds, that promotes peace and understanding.

Cooking. Throughout school and our early professional careers we put a premium on speed, including fast food. All too often great food was something we made reservations for. The rhythm and routine of cooking can bring a real time perspective to the day. Part chemistry, part art and part magic, a great meal is distinct pleasure, even if there is only one or two to enjoy it. A meal lovingly cooked begs to be enjoyed at a leisurely pace. You pick the wine and music.

The Arts. Painting, singing, piano playing, sculpting, pottery making, photography and any activity that engages the creative side of the mind will add meaning and pleasure to life. Not an artist? Then learn to appreciate the work of others. Go to the gallery, the concert, the exhibit.

Politics. The future of our state and nation depend on good people making the effort to put our ideals into practice. Get involved. Make a difference.

Travel. The best way to see our country is to look at it from abroad. The people are welcoming, the transportation is wonderful, the food is interesting and, most of all, the different perspective on America is mind changing.

Some of the most interesting life stories I know are about lawyers living a real life. Years ago, a lawyer in Spooner, Paul Waggoner, quit the practice and took his young family on a ten month sailing trip from Superior, through the Great Lakes and the St. Lawrence Seaway, down the east coast to Florida and on to the Bahamas. After that sabbatical adventure he settled on Pine Island in western Florida where he still practices.

My partner, Tim Scott, gives more than 50 lectures every year on the Holocaust, most of them to junior high school students. He also leads a Boy Scout trip to Germany every two years and is active with youth in many other ways. Jim Drill, the super outdoorsman and hunter mentioned above, has attended every Super Bowl, 42 in a row. Clyde Wynia, a Marshfield lawyer spent many hours in his shop with his welder making whimsical metal sculptures out of scrap metal. Another partner, Bob Walter, now retired, competed in the qualifying rounds of the Senior Professional Golf Tour for two years. Several northern Wisconsin lawyers have long personal streaks of Birkebeiner races, 37 miles on cross county skis. Gerry McAdow has ridden his bicycle across the US. My partner, Tim O'Brien, is working on his stand-up comic routine. Keith Rodli teaches Buddhism to Minnesota prisoners.

These are just a few examples of unique interests of exceptional lawyers. I'm sure there are thousands of others, many in your own community. Maybe the WisLAP (lawyers assistance) committee should keep a list of unique life activities that keep lawyers sane and happy. It would be an amazing list.

Get Help.

If stress has overwhelmed you, there is help, but you have to accept it.

Uncontrolled, unrelenting stress will eventually result in depression for some of us. How can you distinguish depression from ordinary sadness? Here are the classic symptoms:

1. Diminished interest or pleasure in most activities.
2. Significant weight loss or weight gain without effort, or loss of appetite.
3. Difficulty sleeping, or sleeping too much.
4. Psychomotor agitation or retardation.
5. Fatigue.
6. Feelings of worthlessness or excessive or inappropriate guilt.
7. Diminished ability to think or concentrate, or indecisiveness.
8. Recurrent thoughts of death or suicide, or a suicide plan or attempt.

For some, seeking or accepting help may be difficult. There is a potential stigma to any disease that involves the brain. My own personal effort to overcome that stigma resulted in the article I wrote about my own experience in the December 2000 issue of the Wisconsin Lawyer, *Brainstorm: My Experience with Depression*.¹⁷ If you are suffering, please know that you are not alone.

¹⁷ Bakke, Gary L., *Brainstorm: My Experience With Depression*. Wisconsin Lawyer, vol. 73, No. 12, December 2000.

There is a website that lists about 450 famous people that have suffered from depression.¹⁸ Here is a small selection. Perhaps you will recognize some of them:

Edwin "Buzz" Aldrin, astronaut, Ludwig von Beethoven, composer, Napoleon Bonaparte, emperor, Jim Carrey, actor and comedian, Dick Cavett, broadcaster, John Cleese, actor, Rosemary Clooney, singer, Calvin Coolidge, U.S. president, Charles Darwin, explorer and scientist, Thomas Edison, inventor, Betty Ford, former First Lady, John Kenneth Galbraith, economist, Dwight Gooden, baseball player, Alexander Hamilton, politician, Stephen Hawking, physicist, Ernest Hemingway, writer, Andrew Jackson, U.S. President, Thomas Jefferson, U.S. President, John Lennon, musician, Abraham Lincoln, U.S. President, Ralph Nader, U.S. consumer rights advocate, Donny Osmond, musician, Edgar Allan Poe, writer, Cole Porter, composer, Charlie Pride, country singer, Norman Rockwell, artist, Theodore Roosevelt, U.S. President, Charles Schulz, cartoonist (Peanuts), George Stephanopoulos, political advisor, Mark Twain, author, Mike Wallace, broadcaster, Boris Yeltsin, former President, Russia.

Maybe it is possible to have a productive, good life even if stress or genetics have produced depression. Help is available.

WisLAP is the Wisconsin version of the Lawyers Assistance Program that most states have. If you don't know where to turn for yourself or for a friend, call WisLAP. All calls are confidential. (800)543-2625.