



TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA



Phase II | 2022-2024

RESEARCH REPORT **TERRITORIES**

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

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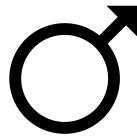
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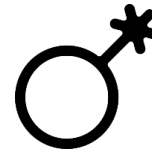
Phase I participants description: Territories



57.5% of **women** with an average age of **42.4** years

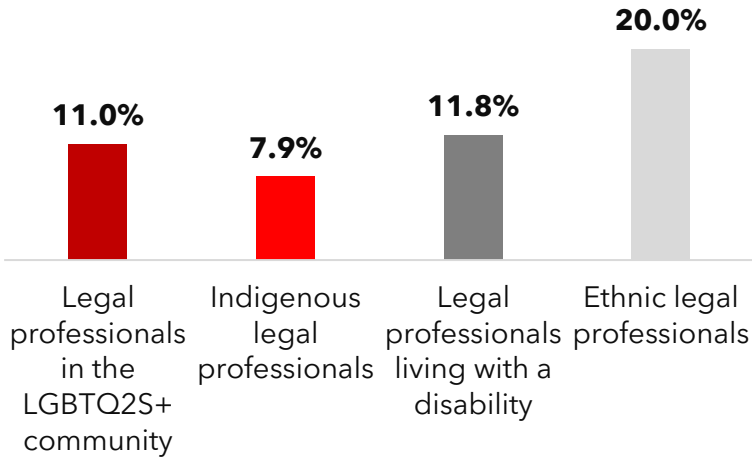


39.4% of **men** with an average age of **47.0** years

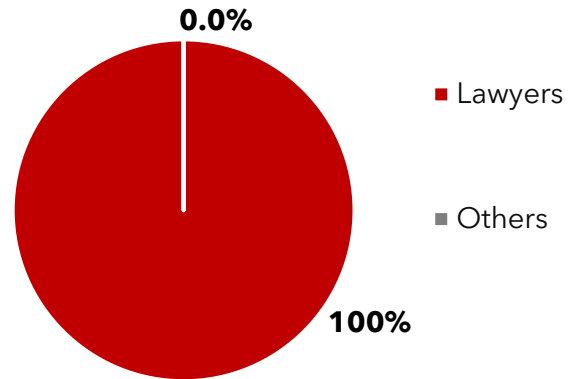


1.6% of **non-binary people** with an average age of **40.5** years

Portrait of **diversity** among participating legal professionals in territories (*n* = 128)



Proportion of participating legal professionals by **profession** in territories (*n* = 128)



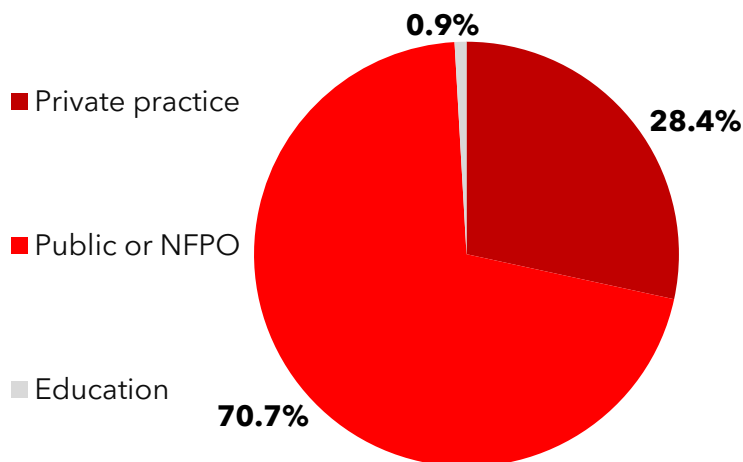
44.5%

Participating legal professionals in territories are members of the Canadian Bar Association CBA (*n* = 128)

4.7%

Participating legal professionals in territories are qualified from the National Committee on Accreditation NCA (*n* = 128)

Proportion of participating legal professionals by **work setting** in territories (*n* = 116)

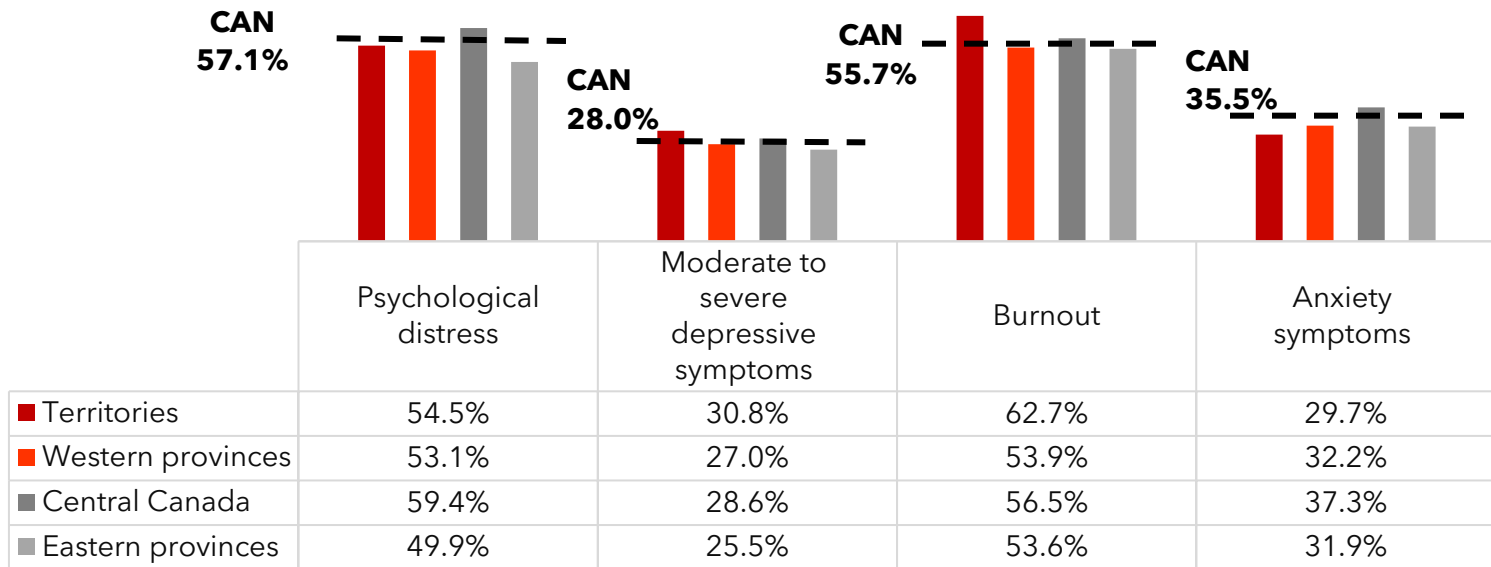


Area of practice:

- Family Law (17.2%)
- Criminal Law (32.8%)
- Civil Litigation (19.5%)
- Business, Corporate and Commercial Law (11.7%)
- Human Rights, Public and Administrative Law (13.3%)
- Labour and Employment Law (14.1%)
- Real Property (14.8%)
- Wills, Estates and Trusts (13.3%)
- Alternative Dispute Resolution (6.3%)
- Other (10.9%)

Mental health indicators (Phase I): Territories

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



32.2%

Participating legal professionals in territories have had **suicidal thoughts** since the beginning of their career (n = 115). The average in Canada is **24.1%**



51.2%

Participating legal professionals in territories were **unable to seek help because of psychological health issues despite feeling the need for it** (n = 125). The average in Canada is **46.8%**

Three main reasons for not seeking help:

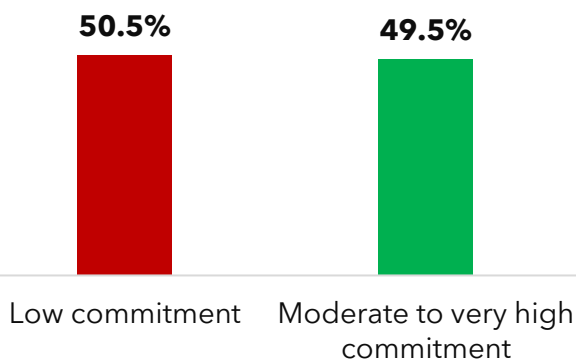
1. Thoughts that the issue is temporary **26.6%**
2. Lack of energy of seeking help **21.9%**
3. Not being sure about help necessity **12.5%**



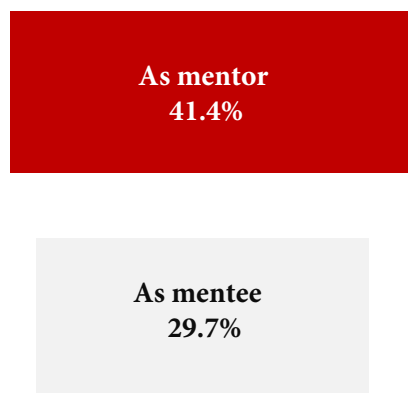
10.2%

Participating legal professionals in territories who **have taken more than three months of medical leave** in the past five years (n = 128)

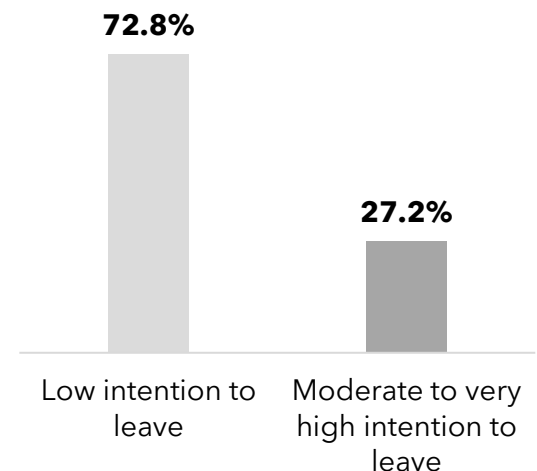
Proportion of **affective commitment to the profession** among participating legal professionals in territories (n = 103)



Proportion of **mentorship participation** among participating legal professionals in territories (n = 128)



Proportion of **intention to leave the profession** among participating legal professionals in territories (n = 103)



INTRODUCTION | HEALTH AND WELLNESS PRIORITIES IN THE PRACTICE OF LAW IN CANADA'S TERRITORIES

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 Canada’s territories (the Yukon, the Northwest Territories and Nunavut) based on Canadian data collected during Phase I (Cadioux et al., 2022);
- 2) Contextualize the quantitative results obtained in Phase I through interviews with legal professionals working in Canada’s territories;
- 3) Make targeted recommendations to address important health and wellness issues among participating legal professionals working in Canada’s territories.

The first objective was achieved through quantitative data collected in Canada’s territories during the first phase of this national project ($n = 65$). The second objective is based on qualitative data gathered through interviews. As part of Phase II, twenty-four (24) legal professionals working in Canada’s territories, including four (4) articling students and twenty (20) lawyers, volunteered to participate in a semi-structured interview. Participants were then selected ($n = 10$) among the volunteers and semi-structured interviews were conducted with these legal professionals working in Canada’s territories. In order to identify the priorities of legal professionals working in Canada’s territories, a list of 10 key themes arising from Phase I (Cadioux 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 legal professionals working in Canada’s territories who expressed an interest in being interviewed

Theme	Contents	Number of legal professionals for whom the theme is among the three most important ones to address
1	Work-life balance	19
2	Working conditions and cognitive demands	14
3	Coping strategies and lifestyle	13
4	Training and mentorship	8
5	Diversity and inclusion in the practice of law in Canada	4
6	Billable hours	4
7	Regulation and practice review	4
8	Telework	2
9	Law practice and technology (technostress)	1
10	Return to work after a prolonged medical leave/absence	0

Based on the results presented in Table 1, this report addresses the three themes most frequently reported as priorities, namely: (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 Canada’s territories ($n = 65$) and on interviews conducted ($n = 10$).

1.1 THEME 1 | WORK-LIFE BALANCE

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

Work-life balance emerged as the most important theme for participating legal professionals in Canada's territories. This is consistent with Phase I data, which found that nearly one in two legal professionals in Canada experience work-life conflict (Cadieux et al., 2022).

In the present-day context, where the boundaries between work and personal life can become increasingly blurred, many legal professionals face challenges in maintaining a healthy balance between their careers and their personal lives. In fact, work-life balance has been shown to be important for employees' health (Rashmi & Kataria, 2022). One participating legal professional in particular spoke of the lack of flexibility in managing their cases, particularly with respect to dates and deadlines imposed by the courts, combined with the amount of work to be done.

“Well, again, the hard part is just the amount of stuff there is to do. The court doesn't care about your personal life when they're setting dates and deadlines. You just have to deal with it.” **YK-4**

The resulting imbalance can have harmful consequences for mental and physical health, as well as for family relationships. Moreover, approximately one in two Canadian legal professionals (49%) sees themselves as experiencing work-life conflict. This conflict is associated with higher levels of perceived stress, psychological distress, depressive symptoms, and a greater intention to leave the profession (Cadieux et al., 2022).

The following excerpt illustrates the stress and guilt felt by some for putting work ahead of personal relationships.

“Like, on the one hand, you know, the fact that I have friends and a partner of whom I care very much about, it's a source of much joy. On the other hand, you know, when I'm particularly busy at work, the feeling of maybe leaving those people behind or not giving to them as much as I really want to, is a source of stress and guilt.” **NT-1**

In Canada's territories, 48.5% of participating legal professionals reported being affected by work-life conflict. Table 2 provides an overview of work-life conflict among participating legal professionals working in Canada's territories by selected characteristics, i.e. assertiveness (the ability to set limits), psychological detachment (the ability to detach oneself psychologically from work) and the presence or absence of billable-hour targets.

Participating legal professionals who reported a strong ability to set limits were more likely to not experience work-life conflict (67.6%), as were those who reported a strong ability to psychologically detach from work outside office hours (83.3%). Similarly, participants who were not subject to billable-hour targets were also more likely to not experience work-life conflict (57.1%) than their counterparts who were subject to these targets (50.0%).

Table 2

Proportions of participating legal professionals in Canada’s territories experiencing or not experiencing work-life conflict by selected characteristics (in %)

		Absence of work-life conflict	Presence of work-life conflict
Global	All	51.5%	48.5%
Assertiveness	Poor ability to set limits	42.2%	57.8%
	Strong ability to set limits	67.6%	32.4%
Psychological detachment	Poor ability to psychologically detach from work	47.2%	52.8%
	Strong ability to psychologically detach from work	83.3%	16.7%
Billable-hour targets	No	57.1%	42.9%
	Yes	50.0%	50.0%

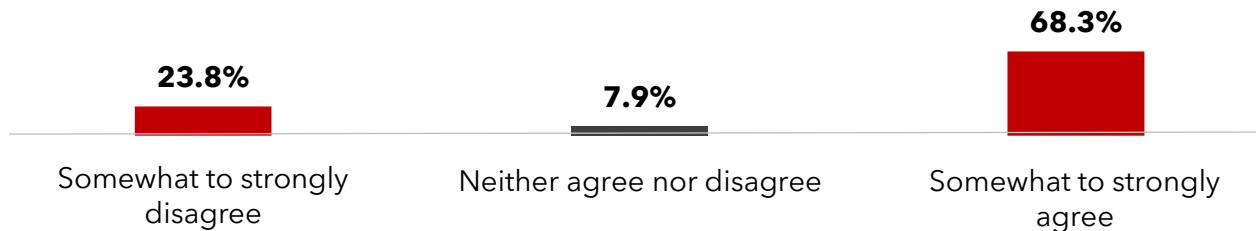
The tensions felt following the invasion of work into personal and family life led some participants to reconsider their chosen profession. In the following excerpt, one participant touched on how time-intensive professional demands can spill over into other areas of life, making sacrifices necessary.

“The demands on your personal time and on your family life [...] you can’t be there necessarily for your kids or your spouse when you should be.” **YK-3**

Furthermore, as illustrated in Graph 1, the majority of participating legal professionals in Canada’s territories (68.3%) somewhat to strongly agree that their work takes up so much of their energy, that it has a negative effect on their personal lives.

Graph 1

Extent to which participating legal professionals in Canada’s territories agree that their work takes up so much of their energy that it has a negative effect on their personal lives (n = 101)



Indeed, a number of participating legal professionals mentioned this negative impact on their private lives, with some describing how they find it hard to do things for themselves at the end of the day because their energy is already depleted, as illustrated in the excerpts below.

“

“It’s time and emotional capacity, really. I think emotional capacity to an extent with friendships and stuff like it is hard to have the energy after work to want to be there for other people in that context. And then it’s just time and being able to get away with the things you want to do.” **YK-4**

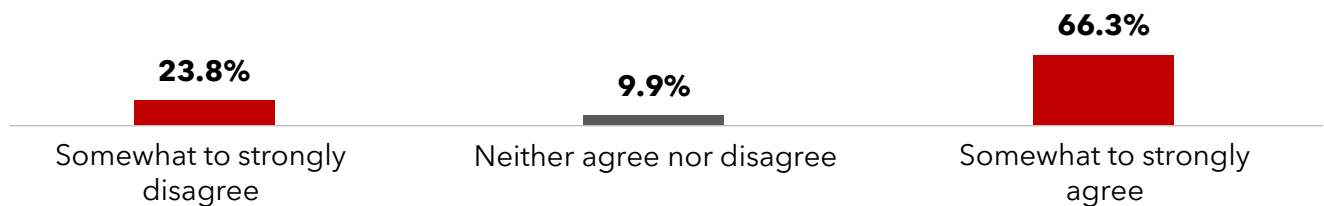
“There was just a real barrier to participating in anything other than work. And the same can be true, even when you’re not travelling all the time, I find I’m just like sort of intellectually exhausted at the end of the day.” **NT-1**

“When you get home, you well, I find I’m often too tired to do the things I enjoy, like things I want to do in my free time. I focus more on just getting sleep, all the basic things rather than hobbies. So, I think that’s where the toll is.” **YK-5**

At the same time, many participating legal professionals mentioned that their work takes up a lot of their time, as well as their energy. Graph 2 shows that 66.3% of participants somewhat to strongly agree that this time has a negative effect on their private lives. In support of this, the following excerpt relates the experience of one participant in particular who sometimes has to work intensively until 10 p.m. a situation they describe as normal.

Graph 2

Extent to which participating legal professionals in Canada’s territories agree that their work takes up so much of their time that it has a negative effect on their personal lives ($n = 101$)



“

“There are times when I just have to crank it till 10 o’clock at night or later. That’s just normal.” **YK-3**

Some participants mentioned the perception that they should always be connected to work, even during times set aside for various spheres of personal life. Unfortunately, staying connected outside of work hours is seen to be associated with increased burnout, intention to leave the profession, and diminished performance and wellness (Golding, 2023).

“

“I was on [a job] and that was like night calls. So, you would maybe get woken up seven times through the night on a bad night and then you’d have court all day. And it was also on weekends, so they cut back on that. [...] But those kinds of things make it hard to have life balance.” **YK-1**

“Even when you go on vacation, you are still getting emails and you can’t really leave [...] Things come up when you’re gone, and people are emailing you. So, it’s hard. [...] My best thing was when I would go somewhere remote, like on a river trip or camping where there was no internet, so then I couldn’t be reached.” **YK-1**

Another factor that is significantly associated with the presence of work-life conflict is billable-hour targets. The pressure to meet billable-hour targets requires longer working hours, which can cause work to spill over into other spheres of life (Cadieux et al., 2022).

As one participant explained in the following excerpt, their vacation was not relaxing at all because taking time off meant not logging billable hours during that time. This made them feel guilty.

“If you took vacation, that just meant that you weren’t billing hours and you kind of had to make it up later, so it didn’t really feel like a vacation, you’re kind of feeling guilty about not filling the hours that you’re falling behind on your target, I suppose.” **YK-2**

FEAR OF STARTING A FAMILY

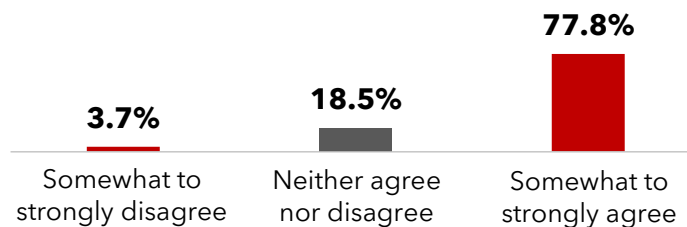
Many Canadian legal professionals are apprehensive about starting a family because of the demands of their practice. According to the survey conducted in Phase I of this study, 15.1% of legal professionals surveyed do not wish to have children because of their professional obligations (Cadieux et al., 2022).

Many participating legal professionals in Canada’s territories shared this apprehension about starting a family. This fear is rooted in the perception that work would not allow them to spend enough time with their children. They also worry about the impact that starting a family could have on their career, such as hindered career advancement and the possibility of losing their job or not having their contract renewed.

Graphs 3, 4 and 5 below clearly illustrate this reality for participating legal professionals in Canada’s territories.

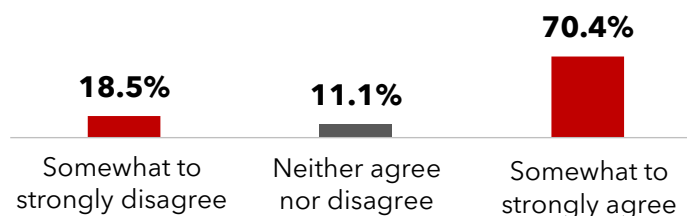
Graph 3

Extent to which participating legal professionals in Canada’s territories agree that their workload conflicts with their ability to start a family (n = 27)



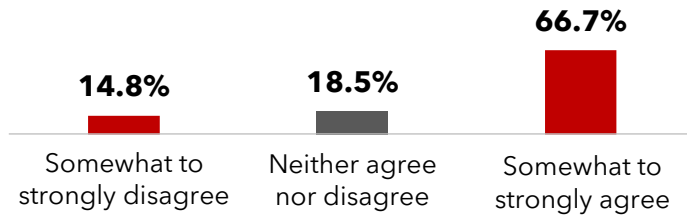
Graph 4

Extent to which participating legal professionals in Canada’s territories agree that if they want to advance their careers, they will have to wait before starting a family (n = 27)



Graph 5

Extent to which participating legal professionals in Canada's territories agree that if they decide to have children, they could lose their job or not have their contract renewed ($n = 27$)



These feelings are reflected in the following excerpts.

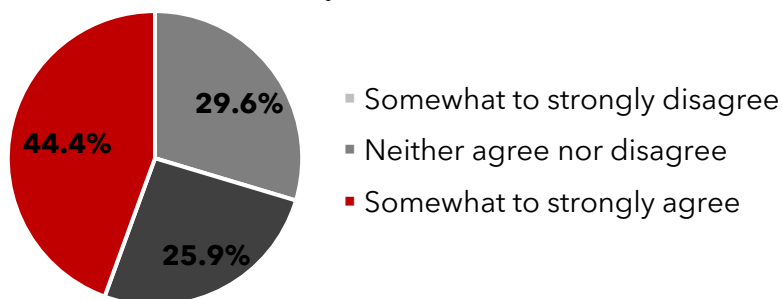
“Almost every woman I know that went in that office ended up leaving after they had children. It’s too hard to do it. It’s too many hours and travelling. It just doesn’t work well, or if your child’s sick, it’s just too hard.” **YK-1**

“The process of pressure to work those long hours isn’t conducive to family life, and women still carry the burden of a lot of household work and childcare disproportionately to their male partners. So, it makes it impossible for a lot of women to access the profession, even if they want to.” **NU-2**

Some participants also pointed out that it can be difficult to juggle family, children and work. As illustrated in Graph 6, some participants are even thinking about changing their area of practice or job to achieve a better work-life balance.

Graph 6

Proportion of participating legal professionals in Canada's territories who are thinking of changing their area of practice or job to achieve a better work-life balance so that they can start a family life ($n = 27$)



The following excerpts illustrate these concerns.

“I think it’s quite hard to get good paid maternity leave and paternity leave. So, I think that would be a barrier. I also think there’s still a bit of reluctance with employers hiring people that, you know, have plans to form a family because they know they’re going to have to take time off, that’s a possible barrier.” **YK-5**

“So there’s going to be a time away from work, even if it’s a brief time. And I think if you want to have a child, male or a female, you need to have some time with your kids as they grow up. And that, I think, the legal profession doesn’t have.” **YK-3**

The following excerpts illustrate participants' desire to achieve a better work-life balance in various areas.

"I don't want more money like I just want sort of a reasonable work-life balance." **NT-1**

"But you know, my kids. I wish I spent more time, you know this, I never thought I'd ever say this, but I have heard it way too many times. I wish I spent more time being able to just hang out with my kids than I was able to do." **YK-3**

In the first excerpt, the participant conveyed that their desire to achieve work-life balance was stronger than the appeal of extra money. In the second excerpt, the participant stressed the importance of spending more time with their children and expressed regret at not having been able to do so. In summary, work-life balance is a challenge for many participating legal professionals working in Canada's territories. For some, it even leads to fears about their ability to fulfill their personal goals, such as starting a family.

Finally, another important factor stems from the constraint of having to travel for work. Several participants mentioned that they felt pressure to travel for work and that this had a negative impact on their work-life balance.

"It's too many hours and travelling." **YK-1**

"I think there's a high rate of burnout. [...] They're very high here and there are additional taxes on time like travelling, which take a toll on people." **NU-2**

"I think it's difficult to achieve like start new hobbies or interests. When I was travelling a lot, there were various courses that I wanted to take that I just couldn't take because they were every Thursday evening or whatever, but I would be travelling too much to attend. [...] There was just a real barrier to participating in anything other than work. And the same can be true, even when you're not travelling all the time, I find I'm just like sort of intellectually exhausted at the end of the day." **NT-1**

This leads to the second priority theme identified by participants, namely working conditions and cognitive demands, as further discussed in the following section.

1.2 THEME 2 | WORKING CONDITIONS AND COGNITIVE DEMANDS

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

The second most important theme identified by participating legal professionals working in Canada's territories was working conditions and cognitive demands in the practice of law. Working conditions encompass both constraints (i.e., job demands that are likely to constitute risks to wellness) and resources (i.e., factors that are conducive to the protection of employees' wellness). Ultimately, it is the individual's appraisal of workplace demands and of available resources to help them cope with these demands that dictates their perception of work stress (Lazarus & Folkman, 1984). This section describes the constraints and resources that characterize the daily lives of participating legal professionals working in Canada's territories.

PORTRAIT OF WORKPLACE CONSTRAINTS

The first phase of the Towards a Healthy and Sustainable Practice of Law in Canada national survey (Cadieux et al., 2022) made it possible to measure the proportions of the various constraints that emerged as being the most important to participating legal professionals in Canada's territories, as shown in Table 3. It should be noted that the proportions shown do not necessarily reflect a link between any constraint and the mental health indicators measured in this study; they merely represent the proportion of participants working in one of Canada's territories who reported the presence of these constraints.

A closer look at these proportions reveals that the constraints most present among participating legal professionals working in Canada's territories are billable hour pressure (73.3%), qualitative overload (73.1%) and emotional demands (59.8%).

Table 3

Presence of significant practice-related constraints among participating legal professionals in Canada's territories (in %)

Constraints in the practice	Constraint present (in %)
Billable hour pressure	73.3%
Qualitative overload	73.1%
Emotional demands	59.8%
Quantitative overload	40.2%
Long work hours (≥ 50 h/week)	37.5%
Lack of resources	35.8%
Workplace incivility	12.1%
Job insecurity	6.5%
Pressure to perform	5.8%
Workplace violence	3.8%

Billable hours: significant pressure when hours actually worked are not fully recorded

Among participating legal professionals with billable-hour targets in Canada's territories, approximately three quarters (73.3%) feel pressured by them, either because they create constant pressure, because the targets are difficult to meet, or simply because the existence of billable hours is stressful in and of itself. One participant explained that although billable-hour targets may seem realistic in terms of straight numbers, assuming that all hours worked are billable, the truth is that many hours worked are not billing, making these targets more difficult to achieve. This finding was shared by legal professionals surveyed across the country in Phase I of this project who, on average, estimated that billable hours represent 67.9% of their total hours worked (Cadieux et al., 2022).

Congruently, among participating legal professionals working in Canada’s territories, almost three quarters (73.3%) somewhat to strongly agree that regardless of how many hours they work overall, they still feel stressed by the billable-hour targets that their organization expects them to meet, as illustrated in Graph 7 below.

Graph 7

Frequency at which participating legal professionals in Canada’s territories feel stressed by the billable-hour targets that their organization expects them to meet, regardless of how many hours they work overall ($n = 15$)



One participant in particular spoke about constantly feeling like they are behind on their billable hours, unable to say no to anything, and trapped on a “treadmill”, thus illustrating the situation where the hours worked don’t give the impression of really “moving forward”.



“But the part I found hard was being a junior, you didn’t really have control over your workload. [...] You know that the target seemed fairly attainable, assuming you always had billable work to be doing during the week, but that I didn’t find it to be the case. And so it kind of just kept you in this kind of state where you’re always felt like you’re behind, and so you could never really say no to anything. [...] It just kept you trapped in like this on the treadmill. [...] And so just taking a step back and not having to build hours anymore is like, I think that was a huge boost to my personal well-being [...]. I can come to work and work hard all day and feel good about it, and I don’t have to think about work when I’m not at work.” **YK-2**

Now that this participant no longer works within a billable-hours model, they feel like their health and wellness have improved and they are better able to psychologically detach from work outside of working hours.

Work overload and long working hours

Among participating legal professionals in Canada’s territories, approximately four in ten (40.2%) reported experiencing quantitative overload, i.e., that the amount of work exceeded the resources and time available to them (see Table 3). One participant further explained that this work overload can be stressful and lead to burnout. This manifests itself in various ways, including difficulty concentrating and staying motivated when struggling with a heavy workload.

“I think it’s quite stressful, or at least it’s quite easily burn out. Like, you might think you’re doing fine and then like the amount of work you have, you get to a week where you just can’t concentrate, or you’re not motivated because you’ve kind of reached burnout. And I think that’s mainly workload, like there’s a lot of different clients [...]” **YK-5**

As many legal professionals struggle with work overload, it is not uncommon for some of them to work long hours, including evenings and weekends, in order to compensate for the lack of time they have to get everything done. This is all the more true for young legal professionals at the start of their career, who have to work harder to learn how to be efficient and develop their skills, as explained by one participant in the following excerpt.

“I’ve got a little bit more seniority now, where I spend less time working than I did in my early years. You know, in the early years of practice, you’ve still got so much information to download, and it takes you so long to really like to learn how to become effective. You know, I put in really long hours at the beginning of my career. You know, I was working into the evening every single day. And then, you know, I would come in on the weekends and then, you know, after a while, I started with, you know, only doing one day on the weekend. And now I almost never work on the weekends unless I really have to, which is good. But in the early years, you really need to do that, you know. And I don’t mean to sound too harsh, but if in the first year of your practice, you only work nine to five, and you only do that for the first five years of your practice, you will never catch up to the lawyer who put in the hours in the previous five years. You just don’t have the time to get that proficiency so that, you know, it really is about putting in the hours.” **NU-1**

Studies have shown that working long hours can lead to health issues among legal professionals, including depressive symptoms, anxiety, and sleep disorders (Bannai & Tamakoshi, 2014; Virtanen et al., 2011). Working in excess of 50 hours per week can have harmful repercussions on the health of legal professionals (Cadieux & Marchand, 2015). Moreover, working long hours means being constantly faced with a build-up of stress without ever being able to properly recuperate between workdays. One participant in particular explained that time constraints were the most significant source of stress for them in their previous role.

“It’s very intense and like you end up working late or weekends, and I experienced that outside of the territory as well in my previous role, but I think the difference is now that that’s a somewhat unusual state of affairs, not unusual, but it comes in bursts. So you have a burst of kind of stressful time and then it slows down again, so you can kind of recover, whereas in my previous role it was just kind of the state of affairs that existed all the time. And so it just kind of built on every stressful situation, just continue to build and build and build and you didn’t get a chance to recover. So yeah. In terms of, I guess, the specific stressors, I think it’s often to do with time pressures. It’s the main thing.” **YK-2**

Finally, two participants mentioned that working long hours was required by their respective organizations and that unpaid overtime was simply expected. As such, they felt like they were not being fairly compensated for their contribution and that the cost-benefit ratio of being a lawyer was inequitable.

“It’s just like the cost-benefit of being a lawyer, a young lawyer. It doesn’t make sense to work so hard for not so much money as compared to going to work for the government as a policy analyst or something, you know, as lawyers, you’d be very qualified for it to be a policy analyst for the government. And so it’s not, it pays just as well, and you don’t have to work all the time as compared to being a young lawyer. So now I definitely know some people that have left their like private practice roles as young lawyers.” **YK-2**

“Like, lawyers, we put in a lot of unpaid work. So sure, you might seem like, ‘Oh, you bill so high, you’re receiving X amount of money,’ but when you live in a place that’s already quite expensive and you look at the number of hours you’re devoting to that practice, you realize it’s like not very much on an hour basis. [...] A lot of unpaid overtime work that is expected of us for free.” **NT-2**

High emotional demands combined with a heavy workload

Among participating legal professionals in Canada’s territories, approximately six out of ten (59.8%) reported highly emotional demands as a present constraint (see Table 3). Many legal professionals working, for example, in family or criminal law, are confronted with emotionally taxing situations and vicarious trauma through the various cases on which they work. In areas of legal practice that are particularly exposed to high emotional demands, the risk of developing vicarious trauma is very present (Otey, 2014). The situation is exacerbated by work overload, insofar as working on several emotionally demanding cases at once seems to amplify their negative impacts, such as burnout (Tsai et al., 2009). This amplification effect is due to the fact that high workloads do not allow for sufficient rest time to decompress between cases, resulting in continual exposure to difficult situations, such as intense conflict, sexual assault, child molestation, child pornography, and so forth. This observation was echoed by several participants.

“It’s just a high workload, there just aren’t enough lawyers for the workload that we have. And so, I’m getting really high conflict files and a lot of them. And so, it’s very difficult to sustain a practice on just high conflict litigation files without being burnt out.” **NT-2**

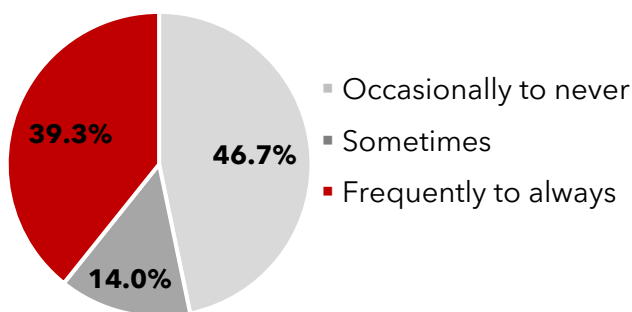
“It was a really stressful job with a huge workload that never ended, because the more you did, the more work you were given, basically. And there’s a lot of vicarious traumas that you’re dealing with and both in, I would say, both in the criminal and family law work. [...] you know, you’re dealing with stuff that I’ll never forget. Like things I’ve seen that I’ll never forget. Whether it’s sexual assault or the child porn or that kind of thing.” **YK-1**

“I think it’s a lot of stuff I’ve already said about just like the lack of time to decompress between things. You kind of finish one and you’re right on to the next. The kid just had a really stressful thing that wrapped up. So it’s like, OK, good, I can bring them in. And now I’ve got this other like horrible child sexual assault that’s thrown at my desk. That’s like, OK, now we’re back into it. There’s no sort of ... no break. I think that’s the biggest thing.” **YK-4**

According to the results from Phase I of this project (Cadieux et al., 2022), approximately one third of participating legal professionals in Canada (39.3%) consider that their work frequently to always places them in emotionally destabilizing situations, as illustrated in Graph 8. This is especially true for legal professionals with heavy caseloads involving emotionally taxing situations, as expressed by three separate participants in the excerpt above. Graph 9 also shows that nearly half of all participating legal professionals in Canada’s territories (48.6%) often or always consider their work to be emotionally taxing. Other participants explained how emotionally demanding their work is and how this affects them.

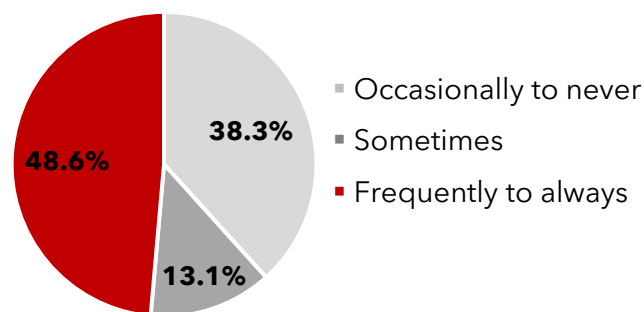
Graph 8

Frequency at which participating legal professionals in Canada’s territories consider that their work places them in emotionally destabilizing situations (n = 107)



Graph 9

Frequency at which participating legal professionals in Canada’s territories consider their work to be emotionally taxing (n = 107)



One participant mentioned that working in family law and child protection is emotionally draining because there is a “social work” aspect added on top of legal representation. This participant also mentioned that their psychological wellness was affected when they only practised in these fields. More specifically, the participant mentioned experiencing depressive symptoms, anxiety and sleep disturbances at the time. Moreover, they explained that they experienced work overload, which meant that they found themselves in a vicious circle of constantly needing to recover from these emotional demands, but never having the time to do so.

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“I think people underestimate how emotionally draining family law and child protection work is. You really take on a lot of social work when you’re in that field, I would say. And so, it is extremely emotionally draining. There is so much vicarious trauma. And my mental well-being was not good when I was only practising in that area. Like, I was definitely depressed, I definitely had anxiety issues sleeping. My doctor even recommended I take off time and that she would write me a letter, to take off sick time. But I didn’t even have time to take off sick time. So, it’s just such a cycle of needing to recover and then not even having enough time to recover because the workload is so high.” **NT-2**

For another participant, the work led them to examine evidence on child pornography, thus exposing them to unsettling images, so disturbing that they haunted them for months. This once again shows how easy it is to underestimate the scale of vicarious trauma and its impact on legal professionals.

“The one time I had a lot of company looking at images was probably one of the most disturbing I had to go to the police station and review in the company of officers for the purpose of a case. All of these seized images of child pornography and it was one of the most disturbing things I had ever seen. And yeah, there was absolutely no sort of preparation or debriefing at all. And those images stuck in my mind for four months afterward.” **NT-1**

Finally, one participant mentioned the law school’s lack of training to prepare legal professionals for the realities of practice. Paradoxically, representing people who have experienced trauma and major upheaval in their lives requires the mobilization of considerable skills. The participant explained that law school did not adequately prepare them to be a lawyer in this regard and did not teach them how to be compassionate, to interview people, or how to learn about people’s lives.

“We’re dealing with it, largely people whose lives have been turned upside down and have had a trauma of some sort [...] Law school doesn’t teach you how to be a lawyer. Law school doesn’t teach you how to be a compassionate human being. Law school doesn’t teach you how to interview people. Law school doesn’t teach you how to learn about people’s lives. Law school is based on being a white male English rich person’s view of the world. It doesn’t work well for the people that you’re serving because you’re not, your clients aren’t going to be like that, and most lawyers now aren’t like that either.” **YK-3**

Chronic lack of resources in Canada’s territories

The final constraint mentioned was the lack of resources, which was reported by just over a third of participating legal professionals in Canada’s territories (35.9%) (see Table 3). Law offices in Canada’s northern territories are relatively small, which seems to entail a lack of resources such as equipment and personnel, despite a high volume of work, as illustrated by the following excerpt.

“I’ve lived in northern Canada, working in the northern courts, and that’s, I think it’s kind of a unique practice area given the volume that we deal with and the lack of resources that we deal with. [...] I mean, everything from a lack of amenities to places that you live to resources in the justice system. You know, the offices in the North tend to be understaffed and overworked and under-resourced. I mean, it’s a challenge to get working printers half the times. [...] But again, it’s, you know, it is good to talk about these things, but you know, it’s just going to be venting. But you know, what we need is more resources. We need more lawyers, we need more judges, we need more time. We need more of everything.” **NU-1**

That being said, the participant in question stressed the importance of having more resources, including more lawyers, judges, and time, in order to do their job properly.

In light of the chronic shortage of legal professionals in Canada’s territories, many of them find themselves having to work much more and to take on more responsibilities than they should, given their relative level of experience, as one participant explained.

“I think a lack of human resources and capacity. We’re perpetually, chronically short-staffed, which means that we’re all doing probably a lot more than we should and also means that junior lawyers and recent calls like myself don’t have nearly as many senior lawyers to work with, to shadow. So, we’re given a lot more responsibility early on without any real, meaningful oversight, mentorship or guidance.” **NU-3**

The lack of resources seems to correlate with qualitative overload, whereby increased responsibilities make the work more mentally demanding. It is therefore not surprising that qualitative overload was the second most prevalent constraint reported by participating legal professionals in Canada’s territories (73.1%) (see Table 3).

OVERVIEW OF WORKPLACE RESOURCES

Along the same lines as constraints, the first phase of the Towards a Healthy and Sustainable Practice of Law in Canada national survey (Cadieux et al., 2022) made it possible to measure the proportions of the various resources present and important among participating legal professionals in Canada’s territories, as shown in Table 4. It should be noted that the proportions shown do not necessarily reflect a link between the resources and the mental health indicators measured in this study; they merely represent the proportion of participants working in one of Canada’s territories who reported the presence of these resources in their practice.

Table 4
Presence of important resources in the practice of participating legal professionals in Canada’s territories (in %)

Resources in the practice	Resource present (in %)
Skill utilization	95.3%
Telework	79.4%
Recognition	57.1%
Consistency of values	56.6%
Autonomy at work	50.5%
Support from colleagues	46.8%
Support from supervisor	43.4%
Career opportunities	35.1%

The resources most present among participating legal professionals in Canada’s territories are skill utilization (95.3%), telework (79.4%), recognition (57.1%), consistency of values (56.6%), and autonomy (50.5%).

Autonomy: a degree of control over one’s workload

Autonomy was reported as an important and present resource by approximately half of participating legal professionals in Canada’s territories (50.5%). It functions as a kind of lever to facilitate their work, making it possible for participating legal professionals to adjust their workloads and working hours to meet supervisor and court expectations while establishing a healthy work-life balance. In fact, two

participants mentioned that they considered themselves fortunate to have so much flexibility in their work.

“I’ve been really lucky with the workplaces I’ve been in that if I needed to take time off or if I needed to say ‘no more files this week’ that I was supported in that. I don’t know that that’s the case everywhere, but I’ve been lucky with the places that I’ve been.” **NU-2**

“I generally have control over my files. Like when I’m assigned to a matter, it’s usually me that’s in control of the work or working with one other person. But it’s not kind of spoon-fed to me by a partner like it wasn’t in the bigger firm setting where I’m just basically like a worker for the partner to use. In my current role, I actually get to make decisions about what gets done and when. So, it allows me to manage my own schedule in a way that I didn’t before. So, I think that was part of it, with the billable-hour model and the kind of hierarchical nature of the large firm setting was just not having control at all over your schedule. I found that very hard.” **YK-2**

By having a degree of control over assigned tasks, these participants protect themselves against work overload and long working hours, constraints that are likely to have a negative effect on their health and wellness at work.

However, as the second participant explained, autonomy is much less present in larger firms that have a heavy hierarchy, billable-hour targets, and partners who can delegate files. In these contexts, maintaining a degree of control over one’s schedule and workload can be quite difficult and represent a drawback, as expressed by one participant in the excerpt above.

Support from colleagues: collegiality and team spirit

Support from colleagues is also an important resource reported as present by nearly half of participating legal professionals in Canada’s territories (46.8%). Conversely, 53.2% of participating legal professionals consider that they receive little or no support from their colleagues. This may be explained in part by the reality of legal practice in Canada’s territories, where there are relatively fewer legal professionals and therefore fewer colleagues to turn to with problems or simply to exchange ideas. This is a major drawback, as mentioned by one participant in particular.

“But in [another province], they’re definitely have much MORE support with your colleagues because you have a bigger bar, whereas up here you have a smaller bar. And so, you don’t really have as much or many people to connect with when you run into a practice issue or like, you know, just bouncing ideas off of one another. It’s very limited just because there are a limited number of people here. And so, that’s been the biggest downside here.” **NT-2**

However, for other participants who have more colleagues in their workplace, support among colleagues is more present. Among these participants, one mentioned that their team is their strength, enabling them to “survive” and to carry on.

“[...] our team is the strength. We have a great group to work with. Otherwise, I would not be able to survive, and I wouldn’t be able to carry on doing the work that I do.” **YK-3**

Another participant explained that collegiality in a non-competitive work environment fosters support among colleagues, facilitated by mutual appreciation, enjoyment of the work and bringing colleagues closer together through shared struggles.

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“The collegiality and the support between each other, I think. I really value my colleagues, and I think a lot of us feel the same way. Everybody’s a good person just trying to do their best and I think we often kind of... we’re always kind of fun, I guess, sort of bonded over the struggles of it all. But it’s not a competitive environment. Everyone really supports each other. It’s not like others, I think, places like a private firm culture where people are sort of, you know, gunning for the promotions and wanting to get ahead here.” **YK-4**

Last but not least, according to another participant, support from colleagues can also considerably reduce stress in the workplace. When deadlines are looming, teamwork comes into play, with several colleagues supporting each other to meet the deadline, rather than leaving the burden to a single person who would otherwise find themselves under considerable pressure.

“And if something gets moved forward significantly, like closing time, that would be more stressful. And those deadlines to meet generally look quite good like the team works together if there’s a deadline to meet. It’s not just putting all on one person, it’s on, let’s all work together, make sure we meet this deadline. So, I think it’s pretty collaborative in that sense.” **YK-5**

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The literature also confirms that support from colleagues plays an intermediary role in the relationship between workplace stress and workers’ wellness (Mensah, 2021).

Admittedly, the relatively limited sampling of participating legal professionals working in Canada’s territories 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 territories. 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 Canada’s territories. These constraints and resources therefore serve as means whereby organizations can reduce the pressure on legal professionals’ mental health, and thus sustain their professional practice.

1.3 THEME 3 | COPING STRATEGIES AND LIFESTYLE

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The third and final theme that emerged as a priority among participating legal professionals in Canada's territories is coping strategies and lifestyle. While it is true that all legal professionals are at risk of developing mental health issues over the course of their careers, the data presented in the opening pages of this report highlight that the prevalence of burnout and suicidal ideation among legal professionals in the territories is higher than anywhere else in Canada.

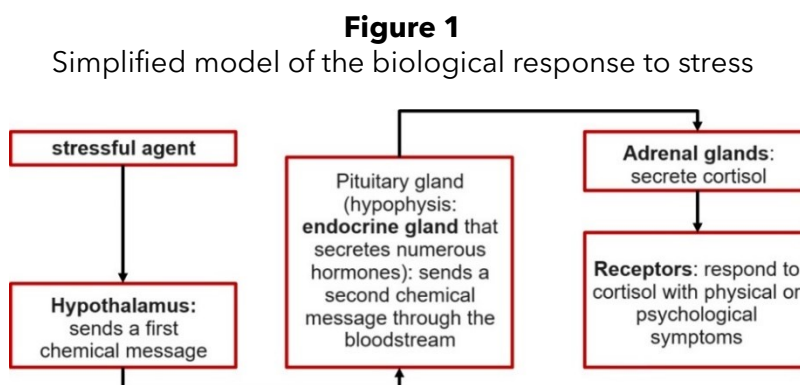
These results are particularly worrying and suggest that special attention should be paid to stressful experiences. As such, it is crucial to get an accurate picture of the main sources of stress and of the different lifestyle and coping strategies that legal professionals use to counter their effects. Before examining these strategies, let's start with a brief overview of certain basic concepts to better understand stress.

STRESS: A BIOLOGICAL RESPONSE FIRST AND FOREMOST

Although stressors differ from one person to the next, research shows that there is a common response thereto: the secretion of stress hormones. This biological response is complex and has existed for as long as humankind. In its simplest form (see Figure 1), when a person encounters a stressor, a part of the brain called the hypothalamus sends an initial chemical message to the pituitary gland, which in turn sends a second chemical message, travelling through the bloodstream to the adrenal glands, which in turn secrete cortisol. The human body is full of receptors that respond to cortisol by triggering symptoms that can be physical, psychological, or both (Lupien, 2020). While stress is necessary for human life from a biological stand point, it can be particularly harmful when experienced in a sustained and continuous way, thus exposing a person to what is known as "chronic" stress.

CHRONIC STRESS

Chronic stress can have significant negative effects. These persistent stressors continuously trigger the release of stress hormones (e.g., cortisol), which enter the brain and influence cognitive and emotional processing (Lupien et al., 2009). Many researchers suggest that our stress response system is not designed to be constantly activated by stress hormones, and that sustained physiological reactivity (chronic stress) can contribute to the development of various health and wellness issues (Lupien et al., 2018).



PRIMARY APPRAISAL: WHAT ARE THE STAKES?

The first cognitive appraisal a person makes in the face of a potentially stressful situation is to assess the stakes. This initial or “primary” appraisal is referred to as “perceived stress” (Lazarus & Folkman, 1984). The outcome of this appraisal usually falls within one of three categories. Firstly, a person may link the situation at hand to a “harm-loss,” i.e., a loss or harm previously suffered. Example: A person has just returned to work after a burnout and an important case is assigned to them by one of the firm’s senior partners. After a few weeks of hard work, the symptoms of exhaustion the person previously experienced resurface and create a feeling of *déjà vu*: they do not want to go through a similar experience again.

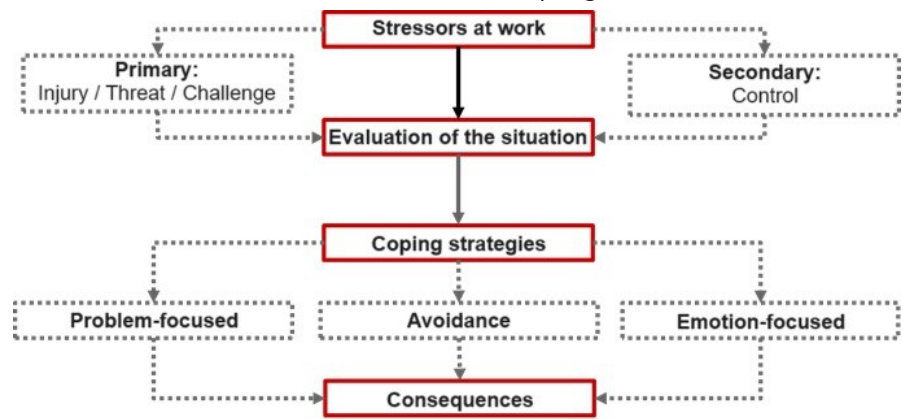
Secondly, the person may link the situation to a “threat,” i.e., the possibility of loss. Example: In the midst of its corporate restructuring, a firm announces that it is closing one of its offices. A person whose job has been abolished, or who is offered a position in a city several hours away from their current place of practice, may perceive this event as a potential financial disaster (what will the transfer cost?), professional disaster (will I get the same job?), social disaster (will I lose my social circle? what will the impact on my family be?), or identity disaster (will my profile match expectations in a big city?).

Thirdly, the person may perceive the situation as a “challenge.” In the previous scenario, the person might perceive the firm’s restructuring as an opportunity to self-assess themselves in the job market, to advance their career, or to leave the practice of law entirely and reposition themselves.

SECONDARY APPRAISAL: WHAT RESOURCES ARE AVAILABLE TO ME?

The second cognitive appraisal made by a person faced with a potentially stressful situation is to assess the resources available to cope with the situation. This “secondary” appraisal is referred to as “perceived control” (Lazarus & Folkman, 1984). The resources available to a person fall into different categories. First, there are **personal** resources, such as the state of the person’s psychological or physical health, their skills, or the material resources available to them. Then there are **relational** or **organizational** resources, such as the strength of the connections created in their professional network, the position they occupy in the organizational hierarchy, or the means at their disposal to carry out their work. The important thing to remember here is that the more a person feels they have control over the stressful situation (e.g., despite the restructuring, I know I’ll have the same job in another business office), the less negative – or more positive – its impact will be.

Figure 2
Lazarus and Folkman’s Transactional Model of Stress and Coping (1984)



COPING STRATEGIES FOR STRESSFUL SITUATIONS

To respond to situations perceived as stressful (following the primary appraisal), a person develops certain coping strategies. Coping strategies are defined as “thoughts or behaviours that individuals employ to address the internal and external demands perceived as stressful situations or as attempts to control, reduce, or endure the challenges, harm, or threats associated with perceived stressors” (Lazarus & Folkman, 1984, p. 843). Coping “behaviours” are situation specific, meaning that they are a response to specific stressful situations, one situation at a time, rather than being a general response (Dewe, 1992).

There are three main categories of coping strategies. The first category includes what are known as “active” strategies, i.e., those focused on solving the problem at hand. They correspond to the efforts that a person makes to eliminate or mitigate the impact of a stressful situation by trying to change the situation itself. For example, in the case of work overload, a person may try to better organize their time, define or clarify priorities, negotiate extra deadlines, ask a colleague for help, or delegate.

The second category includes what are known as “passive” strategies, i.e., those that focus on a person’s emotions. They correspond to efforts made not to act on the stressful situation directly, but rather to reduce the psychological tensions created by it, including by seeking emotional support (Cousson-Gélie et al., 1996). For example, a person may seek to reduce their inner emotional tension by getting angry, by telling themselves the situation will not happen again, by blaming themselves for getting into the situation in the first place, or by trying to desensitize themselves to the situation.

Finally, the third category includes what are known as “avoidance” strategies, which are also often linked to emotions (Endler & Parker, 1990). However, avoidance neither addresses the problem nor reduces the emotional tension it creates, which ultimately generates more negative consequences for the person’s health and wellness over time.

The coping strategies reportedly used by participating legal professionals in Canada’s territories to deal with stressful situations clearly fit within these categories. To illustrate the key differences between these categories, two images can be used: that of the vicious circle and that of the virtuous circle.

THE VICIOUS CIRCLE

The interviews conducted with participating legal professionals in Canada’s territories as well as the statistical data collected in Phase I show that the behaviour of certain legal professionals can be illustrated as a “**vicious circle**.” Figure 3 shows how, in response to a stressful situation, the choice of an avoidance or passive, emotion-focused coping strategy (combined with negative actions) can, in the short term, lead to a reduction in stress, but in the long term result in some very harmful consequences. Participants NU-1 and NT-2 reported this reality.

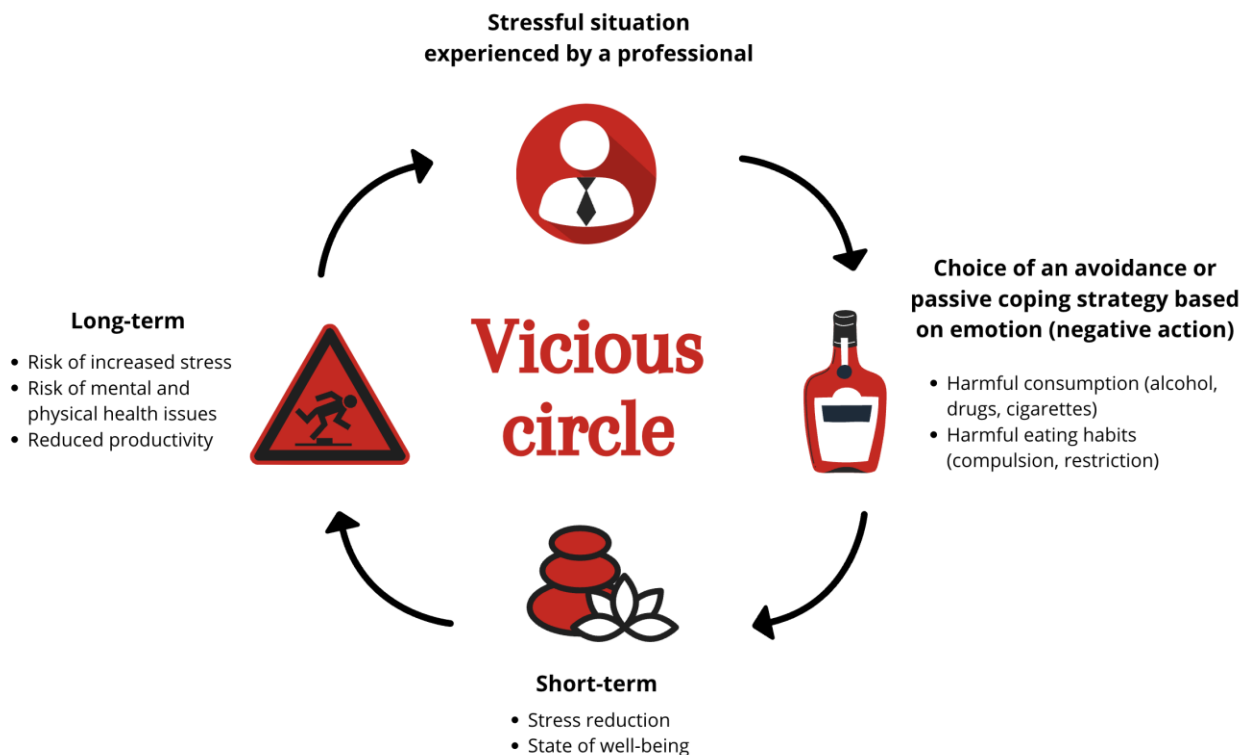
Coping strategies to deal with stress that are either avoidance-oriented or passive, emotionally-focused (negative actions) can include the use of alcohol, drugs and unhealthy eating habits.

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“[...] In my experience, you know, addiction is a big thing in this profession. And people who struggle with that, you know, their performance will decline over time, you know, and you can see it, you know, you can see, I can't tell you the amount of times I've seen people do that are kind of downward spiral, so I think, a lot of it, is up to the individual.” **NU-1**

“[...] I definitely had more reliance, I'm definitely more, definitely use food to cope when I'm stressed. And that definitely impacted my health when I was the most upset about my career because I gained a lot of weight as well. And then I didn't feel good in my body, and I didn't feel good in my career. So, it was, again, a trickle domino effect.” **NT-2**

Figure 3
Visual representation of a vicious cycle in stress management

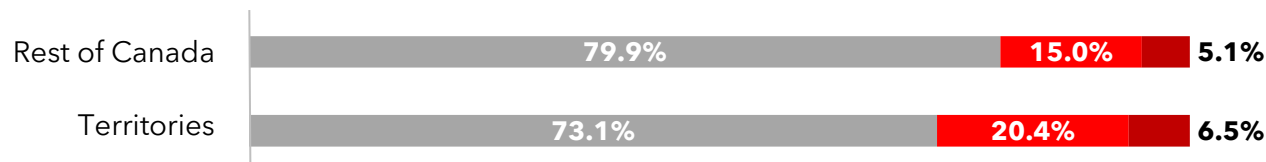


Alcohol consumption

With respect to alcohol consumption, Graph 10 shows that 20.4% of participating legal professionals in Canada's territories had an AUDIT-10 score ranging from 8 to 14, which is considered "harmful or hazardous" based on the scales established in the literature (Barbor et al., 2001). What's more, 6.5% of participants had a score ranging from 15 to 40, suggesting the likelihood of possible alcohol dependence (Barbor et al., 2001).

Graph 10

Proportion of participating legal professionals in Canada's territories by type of alcohol consumption and practice location



- Low-risk alcohol consumption (AUDIT-10 score < 8/40)
- Harmful or hazardous alcohol consumption (AUDIT-10 score ≥ 8/40)
- Likelihood of possible alcohol dependence or moderate to severe alcohol use disorder (AUDIT-10 score ≥ 15/40)

Among participating legal professionals in Canada's territories, certain profiles present increased risks in terms of alcohol consumption. Table 5 shows higher proportions associated with high-risk drinking (AUDIT-10 Score ≥ 8/40) among men (27.5%), young professionals (33.3% and 32.6%), private sector professionals (32.1%), those with billable-hour targets (42.9%) and those working with clients (27.4%).

Table 5

Proportions of participating legal professionals in Canada's territories with low-risk and high-risk consumption profiles according to certain profiles

		Low-risk consumption (AUDIT-10 score < 8/40)	High-risk consumption (AUDIT-10 score ≥ 8/40)
Gender¹	Women	73.8%	26.2%
	Men	72.5%	27.5%
Age	34 or under	66.7%	33.3%
	35 to 49	67.4%	32.6%
	50 or over	84.2%	15.8%
Work setting	Public and NFPO	77.9%	22.1%
	Private practice	67.9%	32.1%
Billable-hour targets	No	78.6%	21.4%
	Yes	57.1%	42.9%
Working with clients	No	76.0%	24.0%
	Yes	72.6%	27.4%

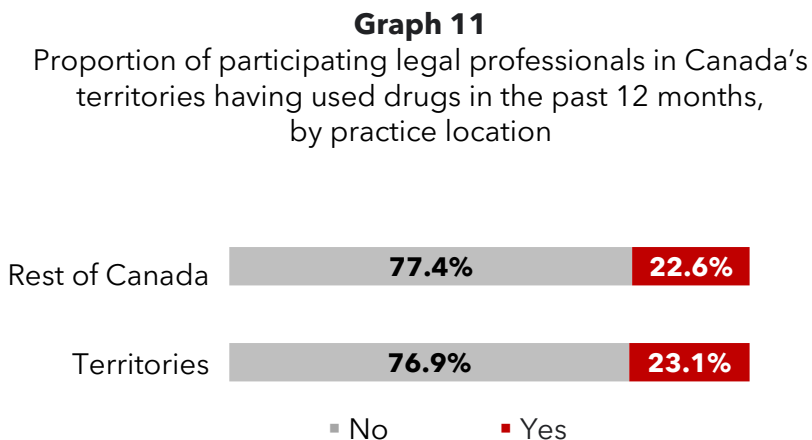
¹ Given the limited sample of genders other than men and women, only those two were compared.

This is all the more worrying given that an American study found a significant gap between the prevalence of lawyers who reported ever having been diagnosed with an alcohol use disorder (2% of the sample) and the prevalence of high-risk drinking (30% of the sample) as assessed by the AUDIT-C within the study (Anker & Krill, 2021). This study suggests that a certain trivialization and normalization of excessive alcohol consumption may have crept insidiously into the culture present within legal circles (Anker & Krill, 2021). High workloads and the pressure felt in the workplace could contribute to normalizing the use of this type of strategy, and thus feed the vicious circle.

Drug use

Data were also collected on the prevalence of drug use among participating legal professionals in the 12 months preceding the survey. Graph 11 shows that the proportion of legal professionals in the territories who have used drugs is similar to that elsewhere in Canada.

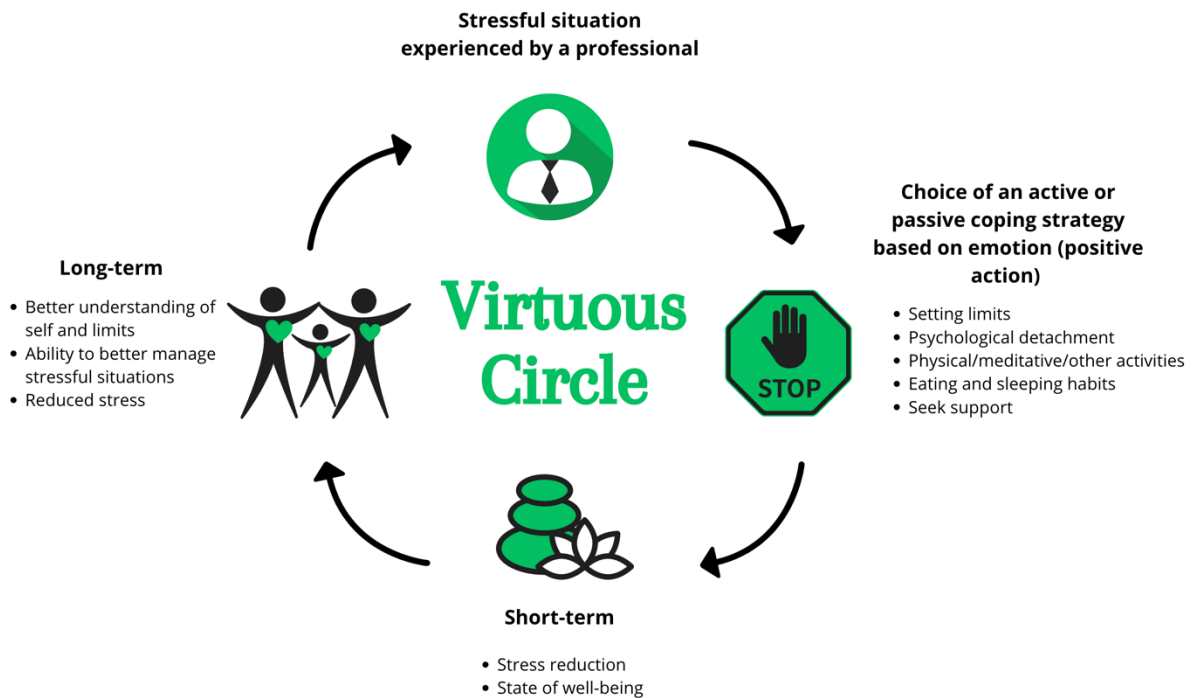
“[...] I definitely would say that I binge drink on weekends. And I would say that’s at least twice a month for at least one day, sometimes two. I would say I don’t smoke cigarettes, but sometimes I’ll smoke weed. Or do edibles. And I did that more when I was more stressed, before nighttime to try and go to sleep.” **NT-2**



THE VIRTUOUS CIRCLE

Despite the data presented above, the presence of an inverse trend is emerging within legal circles in the territories: the “**virtuous circle**.” Figure 4 shows how, in response to a stressful situation, the choice to opt for an active or passive emotion-focused coping strategy (combined with positive actions) can, in the short term, reduce stress levels, but also generate more benefits in the longer term.

Figure 4
Visual representation of a virtuous circle in stress management



Among the coping strategies that can be found within the virtuous circle are assertiveness (ability to set limits), psychological detachment (ability to detach oneself psychologically from work), physical activity, passions, and seeking necessary support.

Assertiveness and psychological detachment

Assertiveness and psychological detachment are key skills that seem to enable many legal professionals to better manage stressful situations and develop resilience (Cadieux et al., 2022). Indeed, the ability to assert their own limits can help legal professionals avoid situations that they perceive as exceeding the resources available to them. In that regard, Table 6 shows that among participating legal professionals in Canada’s territories, those who have a harder time mobilizing these skills were also more likely to display high-risk drinking behaviours (AUDIT-10 score $\geq 8/40$).

Table 6
Proportions of participating legal professionals in Canada’s territories with low-risk and high-risk alcohol consumption profiles according to certain characteristics

		High-risk consumption (AUDIT-10 score $\geq 8/40$)
Assertiveness	Poor ability to set limits	28.6%
	Strong ability to set limits	23.7%
Psychological detachment	Poor ability to psychologically detach from work	29.2%
	Strong ability to psychologically detach from work	8.3%

It should be noted that the sample size of participants in Canada's territories does not allow us to determine significant differences between participants who have mastered these skills and those who have not.

Participant YK-2 agrees that it is not essential to adhere to the standard often prescribed within the profession to be a competent lawyer. Every professional is different, and their limits are valid and deserve to be respected.

Physical activity and passions

Among the strategies discussed in interviews with participating legal professionals in Canada's territories, engaging in physical activity and pursuing passions were frequently raised. Many participants mentioned that they appreciate the opportunity to get out into nature, through hiking and camping. The beauty of the countryside and the closeness to nature in the northern territories are a richness that many of the participating legal professionals seem to use to cope with work-related stress. The following excerpts support this view.

“

[...] You know, doing too much and working too hard to theirs and others' detriment. And my belief is that it doesn't necessarily have to be the case and that you don't have to work in that way to be successful and like a competent lawyer.” **YK-2**

“[...] Spending time with friends. I like to camp, get out in the woods, pick berries in the late summer, those kinds of things. I get a lot of peace from the wilderness, so those are probably the main coping strategies I had.” **YK-1**

“[...] I run a lot. I work out a lot, my head is on, you know, sort of escape in my personal life and I try to carve out whatever balance I can find myself from internal to the profession.” **YK-4**

”

Seeking necessary support

Support from colleagues and mental health specialists were frequently raised by participants as strategies for regulating emotions. The context of practice in the territories is singular, and being able to exchange with people who understand this reality is beneficial for many. Participants NU-1 and YK-4 share their experiences of support in the following excerpts.

“[...] I think most people will seek therapy at some point in their practice, which is good. I myself have done that. [You know, and like] I really think like a lot of that is up to the individual, right. I have a pretty rigorous practice around that in that I personally, I seek therapy.” **NU-1**

“You're sort of trying to support other colleagues who are struggling when you're not doing well yourself and trying to kind of be. But you put on a positive face for yourself and for victims who you're trying to deal with and talk through a very difficult process [...] You're kind of just trying to put on a brave face for the people who are left with as colleagues. We're all great. We support each other a lot, and I think that's where a lot of it comes from us. We kind of just stand together and try to do the best with what we have.” **YK-4**

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CONCLUSION

Stress is an integral part of every sphere of a person's life, and the professional sphere is no exception. Faced with this reality, adaptation strategies are many and varied. Although very circumscribed, the strategies presented by participating legal professionals working in Canada's territories highlight the benefits of opting for an active approach or actions that will positively impact one's health and well-being. A clear message emerges from these interviews: every individual must become aware that they hold a power to shape their environment, and it is this perception of control that will determine whether they embark on the path of a virtuous or vicious circle. This individual responsibility, while paramount, can be facilitated by a positive work environment that places the health and wellness of its members at the heart of its concerns. Indeed, while action by individuals themselves is a necessary condition to establish a virtuous circle of health, workplaces must also enable individuals to implement these strategies. For example, law societies and professional associations need to promote healthy stress management habits, just as law schools need to raise awareness of these challenges during students' academic training. By working together, the players involved will be able to capitalize on the positive strategies that fuel the virtuous circle of health among legal professionals!

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 Canada's territories allowed different solutions to emerge. These are broken down into five focus areas: (1) work-life balance, (2) billable-hour models, (3) diversity representation, (4) adapting requirements, and (5) wellness.

FOCUS AREA 1: FACILITATING AND PROMOTING WORK-LIFE BALANCE

Given that the first theme and top priority among participating legal professionals addressed in this report focuses on work-life balance, it is not surprising that many of the potential solutions put forth also focus on this topic. Solutions mainly revolved around making accommodations to facilitate work-life balance and promoting this balance.

Making accommodations to facilitate work-life balance

When work demands are high, it can be difficult for legal professionals to reconcile their professional and personal (e.g., family) responsibilities (Halrynjo & Lyng, 2009). To facilitate a healthier balance between these spheres, two participating legal professionals suggested improving work schedule policies to better accommodate legal professionals. This solution would also require some kind of 'sensitivity training' to eliminate discrimination against legal professionals who wish to benefit from these accommodations.

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“I think an easy one is like enhanced accommodation for like family leave, bereavement leave, making those processes more accessible and then also like ensuring that management and teams are having some kind of sensitivity training to not discriminate against people based on things like family accommodations.” **NU-3**

“I think the only other thing is building accessibility into practice, I think that people have different accessibility needs, whether because of a family status, having young kids at home, being a single parent or whether because somebody has ADHD like me and may struggle with some of the rigid timekeeping practices. I think that that's something that the profession could look at more closely [...].” **NU-2**

Striving for a legal profession that generates as little work-life conflict as possible promotes greater accessibility to the profession not only for those with personal responsibilities, but also for those who wish to have a fulfilling life outside work. A healthier work-life balance is therefore likely to improve employee wellness (Zheng et al., 2015).

Promoting work-life balance

Along the same lines as the first solution put forward, there is also a need to promote work-life balance by encouraging legal professionals to take time for themselves, including vacations and time off, rather than exclusively encouraging them to work long hours, especially when there are no pressing deadlines. Indeed, taking real time off without having to be connected appears to be an effective way of reducing depression among legal professionals (Joudrey & Wallace, 2009), while enhancing their wellness and intrinsic motivation (Krieger & Sheldon, 2014).

“Other than that, I don’t really see what else they [Law Society] could be doing, except maybe just talking about it more and kind of encouraging. Like more work life balance, maybe. I think. I don’t know. Encouraging lawyers to be able to take time off and not have to work crazy hours when you don’t have a deadline the next day.” **YK-5**

Offering a four-day work week

Finally, improving work-life balance could involve reducing the workweek by concentrating it to four days rather than five or more. The benefits of this work schedule structure have been proven. Firstly, a four-day work week is likely to improve legal professionals’ wellness by reducing two major factors that negatively impact it, namely long working hours and work overload, while giving them more time to recuperate (Chung, 2022). Moreover, this work arrangement would also reduce work-life conflict (Chung, 2022; Travis, 2010).

Interviewer: “What could be done to improve this?” **Participant:** “A four-day workweek and no overtime.” **Interviewer:** “As a mandate or as a policy.” **Participant:** “Yeah, as a law.” **NT-2**

“The Crown’s office or in the legal aid office, you know, you can’t really work four days a week, kind of thing. So, I think that the profession needs to look at ways to. I don’t know how, but to try to make it a healthier, healthier profession so that people stay.” **YK-1**

It should be noted that long work hours combined with insufficient time to rest and recuperate can have costly negative consequences not only for employees, but for employers as well, such as increased absences due to illness, absenteeism, and turnover (Caruso et al., 2006), as well as reduced employee performance (Sonnetag, 2012). In contrast, organizations that offer a four-day work week experience increased productivity and profitability (Chung, 2022; Reidhead, 2022).

FOCUS AREA 2: RETHINKING THE BILLABLE-HOUR MODEL

With a view to enabling legal professionals to take breaks and have greater flexibility in their schedules, some participants suggested lowering billable-hour targets. Also, one participant explained that in other firms, it is possible to credit billable hours when on vacation, as part of an incentive to take time off. A revised billable-hour model would encourage legal professionals to take time off by ensuring that they do not fall behind on their billable hours while on vacation and that they can resume their work at a regular pace when they get back without having to make up for “lost” time.

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“I think like the obvious answer is just like having lower billable-hour targets. That’s always going to be, you know, it just gives you more flexibility to kind of manage your schedule and actually be able to, you know, take proper breaks when you need to. I feel like I’ve heard of it before. I never think it was not the case in my firm, but I think there are some firms where you get like a, you get kind of almost like a credit for actually using your vacation time like your vacation time actually counts toward your billable hours. So, it’s not like following you. It’s not like if you don’t take your vacation that you get further ahead. So, it’s actually, they’re trying to incentivize you to actually use that vacation time. I think that would be an interesting model to play around with if you actually want your staff to take vacations. [...] I think I’ve heard of firms doing that where you get like, you know, say like, every vacation day you use, you get like a four hours’ billable hour credit or something like that. And so, you’re not like falling behind your target by that much to take your vacation time. So, you actually can take your vacation time and enjoy it and then come back and just continue to work on your current pace.” **YK-2**

“I think, you know, in the absence of regulations under the Employment Standard Act, because it doesn’t apply to legal professionals, I think that the Law Society could set requirements around things like [...] having reasonable expectations of what firms can expect around billables and not setting them at two thousand hours because that’s inhuman.” **NU-2**

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FOCUS AREA 3: INCREASING DIVERSITY REPRESENTATION

Some participants expressed concern about the lack of diversity in bar representation, or the lack of consideration some supervisors may have for diversity. As a result, decisions are made that do not always take into account the specific particularities of certain groups (e.g., women, Indigenous people). However, improving diversity representation among decision makers (law societies, judges, etc.) would make it possible to incorporate the diverse perspectives of a wider range of legal professionals into decision-making.

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“I think it’s also important to have a diverse group of people making the decisions around policies for an organization because if there are no women, for example, at the table and it’s a bunch of men making the decision, they may not be taking into account a woman’s perspective. Not that we all think the same. But the more diversity you have, the more diverse opinions you have in decision-making. And I think that it’s important for the law societies and the bar associations to have that diversity as well. And that will and, as a result of that, it will change the diversity on the bench. So, we’ll have a more diverse group of judges and policymakers as well.” **NU-2**

“Yeah, I think increasing representation on like the Law Society Board of Directors, like increasing representation on the structures that have power to create programs and opportunities. So, like the Law Society Board, the Law Foundation Board. And then it would be really nice to see one of our Inuits’ organizations start an initiative specific to supporting development within the legal profession.” **NU-3**

Also, one participant mentioned the need to take a more critical look at the biases some supervisors may have towards racism and oppression. This participant also mentioned that part of the problem stems from a lack of diversity representation. It is therefore important to consider an approach to make supervisors more aware of the bias they may display in combating their own prejudices.

“People need to really look critically at requiring training and anti-oppressive, anti-racist practice and in trauma-informed practice. And that needs to happen at all levels. I think that managers, in particular, need to be trained to address their own biases. And I think part of it is representation, so whether that’s, you know, I don’t know what that looks like, I think that workplaces need to commit, but maybe some pressure from the law societies to try to require some of that as part of their [professional development] requirements, that would be helpful.” **NU-2**

FOCUS AREA 4: ADAPTING REQUIREMENTS TO THE REALITIES OF THE LEGAL PROFESSION

Legal professionals are constrained by certain requirements that all too often limit the time they have to prepare their cases. These requirements often involve high case loads (quantitative overload) and tight deadlines. Faced with the impossible task of devoting the necessary time and effort to each case, legal professionals are likely to experience considerable stress in their work, and are therefore unable to “decompress” between cases, as explained by a number of participants. One participant in particular mentioned the courts’ tight deadlines, while a second mentioned that internal requirements within their organization prevented them from decompressing between cases.

“I think it’s hard logistically to actually make this a reality, but I think particularly in the public sector, prosecutors and legal aid lawyers, if you could have scheduled prep time, you know, theoretically we have that but, you know, the court schedule is so demanding that you maybe have a day or two of prep in-between, theoretically, you’re supposed to have a week, you know, to get ready. But realistically, that doesn’t happen. If you had actual scheduled time for file review, that would be a big thing. But you know, really, you’re expected just to manage that on your own.” **NU-1**

“Less files, more staff, more time. Hands down. All of us would be struggled to leave because there’s sort of this. It’s such an interesting field [...]. But it’s just too much. If we felt like we could put, you know, actually put our full effort into every file and not be pulled in a million directions would actually love the work. So, it’s really just more people to be able to have a more manageable life and be able to decompress after a hard day and not have to immediately go into the next thing.” **YK-4**

That being said, reviewing the requirements that would allow sufficient time to devote to the files would make a big difference, according to these participants, while improving job satisfaction, according to the second participant. For example, this could involve reviewing the tight deadlines that put enormous pressure on legal professionals or reviewing the allocation of cases to reduce caseloads. This would enable them to meet deadlines without compromising their health.

FOCUS AREA 5: WELLNESS

Finally, the last focus area for the solutions put forward by participating legal professionals is wellness. These proposed solutions are detailed below.

Providing counselling services for trauma-loaded cases

Many legal professionals represent individuals who have suffered or witnessed all kinds of intense situations, particularly in the field of criminal law. Violence, murder and sexual assault are just a few examples. These cases can be emotionally taxing for legal representatives, and when there are many of them, can have an impact on them. In Phase I of this project (Cadieux et al., 2022), 59.8% of participating legal professionals in Canada's territories considered their work to be emotionally taxing.

That being said, with a view to protecting the mental health and wellness of legal professionals, one solution put forward by two participants is to offer counselling services to legal professionals when they are called upon to work on heavy-trauma cases. It was also suggested that training should be offered to legal professionals on how to avoid internalizing the traumas of the clients they represent.

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“I think I wasn't handling it for a while, and then I found out that the Law Society has this free counselling session, so that's been helping. I think that could be a bit more maybe like training on, you know, dealing with her and other people's trauma or like how to not internalize it or something. But yeah, having support for counselling, or even if there was like there's been a few seminars talking about workplace wellness and things which have been, some have been useful, some not so useful, but it's good that they're doing it.” **YK-5**

“For instance, in the Crown's office, if they have a really bad case, they make sure that everybody that file has counselling set up. But where I worked, there was never anything like that. So, if you're dealing with a terrible sexual assault or multiple sexual assaults like this stuff? Yeah, I just really felt like they should have had a program to address that kind of vicarious trauma, they could do more to try to help people.” **YK-1**

Promoting wellness

In order to foster discussions on wellness in the legal profession, it is important to first promote a culture of openness where legal professionals feel free and comfortable to have this kind of discussion, in order to openly exchange on the challenges they may face in the practice of law. This point was raised by one participant, who mentioned the importance of this culture of openness, particularly for young legal professionals.

“And there should be more openness about mental health and wellness discussions. Like I said, I found in my early career, there’s really a lot of lip service paid to that. You know, like they’ll say, you know, we really care and then they’ll record that and put it in your file. You know, so. Like, I don’t think a lot of it is sincere and that could be improved. So, I think [...] fostering a culture of openness, you know, is important for junior lawyers.” **NU-1**

Wellness can be improved in a number of ways, including eating a healthy diet, getting enough physical activity, getting good quality sleep, and many other lifestyle choices (Velten et al., 2014). It is therefore not surprising that many organizations in the legal field and in other areas offer incentives to promote wellness, such as discounts on gym memberships. However, these incentives cannot fully benefit legal professionals if their workload and its demands do not allow them to fully take advantage of them. This point was raised by one participant in particular, who explained that work can be very demanding, both in terms of time and mental energy. Accordingly, it is important to not only provide wellness incentives such as gym memberships, but also the opportunity to take advantage of them. Work must allow individuals to take time for physical exercise.

“We also have a discount on gym memberships, which is good. I think we can probably do a little better in that sense, I guess it’s not that great of a discount. You know, so I think promoting more of that would be better, you know, because this job can be very all-consuming, you know, you put in a lot of hours, it demands a lot of mental energy. And if you don’t have the other stuff going on, you know, it can be very, very all-consuming.” **NU-1**

It would also be beneficial to approach the subject of wellness from a perspective of healthy lifestyle and habits, rather than focusing solely on unhealthy habits such as alcohol and drug abuse. As one participant pointed out, the latter are merely symptoms of a problem rather than its underlying cause. This was echoed by Cadieux et al. (2022) in Phase I of this project, notably through the use of the tree metaphor.

« The Law Society has tried, but often they come at it with, you know, the lawyer’s assistance program approach, [...]. But it’s often looking at the symptoms rather than the causes of those symptoms. [...] And I think that we need to spend more time talking about really healthy ways of living as a human being and as a lawyer as opposed to saying: ‘oh, how’s your drinking level, how’s your drug use’ and things like that because those are symptomatic of the background causes.”

YK-3

Finally, one participant stressed that the practice of law needs to be re-examined with a view to improving wellness within the legal profession. To this end, it is important to consider wellness as an integral part of the practice of law, one that begins with law school training, a point that was stressed by Cadieux et al. (2022) in their recommendation #10.

Although the role of law societies is to regulate the profession with a view to protecting the public, implementing health and wellness initiatives for legal professionals is not incompatible with their core mission—on the contrary. Protecting the health of legal professionals would contribute to protecting the public, insofar as the public would be better served by healthy legal professionals, as one participant pointed out.

“Well, I would hope that the results of this interview and every other interviews, when they’re integrated into some end of the study in the study report, that there is a mechanism for the Federation of Law Society to then take that forward to navel-gaze, to look at their profession. And see, it is not a collection of people murdering themselves on the altar of the law, but as people who have jobs and if they’re not healthy, they’re not serving their clients well. So, I think we do need to re-examine what it is to be a lawyer and to look at the larger role in society and community and family and themselves so that we can all be, you know, contribute to making this belated little ball we live on a better place. [...] In the law, society’s role is regulatory. That’s their main focus. So, bringing in health stuff has not been necessarily a comfortable fit with the way the Law Society is set up. But it certainly doesn’t fit in with the way that the education of lawyers works. So, it needs to be integrated into the law schools. And I’m not just talking about lawyers now, but what about all the other people that work in a law firm? We haven’t really touched on that at all. I mean, they’re all impacted as well. And so there needs to be, I would think, more mandatory requirements that people attend and pursue a healthy sort of thing. It’s a pretty broad thing. I just said there, you know, usually the mental health and the physical health courses they’re looked at as being, well, all that one person went because that person’s obviously got some, some mental health issues as opposed to, no, it’s not a mental. It’s not so much a psychiatric or psychological problem. It’s just a human organism approach that we all should be integrating into our lives.” **YK-3**

With that in mind, firms/organizations should offer incentives for legal professionals to pursue a healthier lifestyle while implementing a framework that actually gives them the time needed to do so.

1.5 CURRENT INITIATIVES TO SUPPORT A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA'S TERRITORIES

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

In the report issued following Phase I of this project, 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, academic institutions, assistance programs, other 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, including stigma, and protective factors) 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 eight different major initiatives in Canada's territories that align with seven separate recommendations. Table 6 presents each of these initiatives and compares them to the recommendations made by Cadieux et al. (2022). This table shows that certain initiatives are in line with the needs expressed by participating legal professionals in Canada's territories and outlined 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 societies in Canada's territories 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 6 does not include initiatives that may have been implemented by private or public organizations within the territories 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, the Law Society of Yukon, the Law Society of the Northwest Territories, and the Law Society of Nunavut.

Table 6

Health and wellness initiatives for legal professionals implemented by the Law Society of Yukon, the Law Society of the Northwest Territories and the Law Society of Nunavut and related recommendations from the Phase I report by Cadieux et al. (2022)

Initiative(s)	Initiative-related recommendation(s) from Phase I
(i) [Nunavut] Diversion or alternative discipline measures are part of the current revision of the <i>Legal Profession Act</i> .	5) Implement actions aimed at destigmatizing mental health issues in the legal profession.
(ii) [Nunavut] Offering wellness-related accredited continuing professional development (CPD) up to a maximum of 3 hours.	3) Improve the continuing professional development (CPD) for legal professionals.

Initiative(s)	Initiative-related recommendation(s) from Phase I
<p>(iii) [Northwest Territories] The Law Society of the Northwest Territories (LSNT) established a Wellness Committee in March 2023. The mandate of the Wellness Committee is to promote and enhance the overall well-being and mental health of members of the legal community. The committee aims to create a supportive and healthy work environment, address stressors unique to the legal profession, and foster a culture of well-being.</p>	<p>8) Consider the health of legal professionals as integral to legal practice and the justice system.</p>
<p>(iv) [Northwest Territories] Current initiatives include CPD sessions and social events focussed on the wellbeing of legal professionals as well as the addition of books focussing on the mental health of legal professionals in our lending library.</p>	<p>3) Improve the continuing professional development (CPD) for legal professionals.</p>
<p>(v) [Northwest Territories] The LSNT's new <i>Legal Profession Act</i> received ascent in October 2023 and will go into force upon completion of the new Rules. The new <i>LPA</i> includes Alternatives to Investigation in Part 4: Competency and Conduct of Registrants. Through the work of the new Rules, the LSNT is in the process of developing a system by which the Law Society can refer a respondent as an alternative to investigation or referral to an adjudication committee.</p>	<p>5) Implement actions aimed at destigmatizing mental health issues in the legal profession.</p>
<p>(vi) [Northwest Territories] In addition to the work focussed on legislation, the LSNT has requested, alongside other jurisdictions, a Wellness Toolkit provided by the Canadian Legal Insurance Association (CLIA).</p>	<p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p>(vii) [Northwest Territories] In addition to internal DEI policies, the LSNT has addressed Diversity and Inclusion in the new <i>LPA</i>. Part 2 of the new <i>Legal Profession Act</i> requires the Executive Committee to recognize diversity when appointing lay members to the committee.</p>	<p>7) Promote diversity in the profession and revise practices, policies and procedures that may include or create discriminatory biases.</p>
<p>(viii) [Yukon] The Law Society has made practice advisors (through the Law Societies of British Columbia and Alberta) and mentoring programs (through the Law Society of Alberta) available to its members. The mentoring programs, Mentor Connect and Mentor Express, are designed to improve the professionalism and success of legal professionals through the involvement of experienced legal advisors, to help them achieve their career goals and achieve a better work-life balance in their lives. For more information: https://lawsocietyyukon.com/forthe-lawyer/practice-advisors-and-mentorship-programs/.</p>	<p>2) Improve supports and guidance available at entry to the profession;</p> <p>10) Promoting a better work-life balance in the legal profession.</p>

1.6 TARGETED RECOMMENDATIONS OF THE RESEARCH TEAM

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

The initiatives put in place by the law societies in Canada's territories to support the wellness of legal professionals should be applauded. These initiatives demonstrate significant awareness of the unique challenges faced by legal professionals in often isolated and demanding contexts. Indeed, practising law in Canada's territories comes with particular constraints, such as geographical remoteness and limited access to specialized resources, which can exacerbate feelings of stress and isolation. Recognizing and specifically addressing these issues demonstrates a commendable commitment by these law societies to improving the mental health and wellness of their members, thereby ensuring that legal practice is not only effective, but also fulfilling.

These initiatives are paving the way towards the future of the profession in the Yukon, Northwest Territories and Nunavut. The recommendations arising from Phase II of this national project have been developed with the following considerations in mind: (1) the results stemming from the priority themes analyzed; (2) the solutions put forward by Phase II participants in Canada's territories; (3) the identified initiatives that are currently being implemented by law societies of Canada's territories; 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 **EVALUATE THE IMPLEMENTATION OF ALTERNATIVE WORK ORGANIZATION MODELS THAT LIMIT THE IMPACT OF CERTAIN RISK FACTORS ON HEALTH**

The traditional organization of work in the legal field, particularly its focus on billable hours, puts legal professionals under considerable pressure, exacerbating stress and threatening their mental and physical wellness. Thus, assessing and implementing alternative models of work organization is becoming imperative to mitigate the risks associated with these practices and promote a healthier working environment.

Widely used in the private sector, the billable-hours model is based on the principle that legal professionals must record a minimum number of hours that are directly attributable to managing actual client cases. This method, while beneficial for quantifying work and ensuring the profitability of the services being provided, subjects legal professionals to a number of psychological and physical stressors. Indeed, the pressure to meet high billable-hour targets often pushes legal professionals to increase their working hours by extending their work day, which in turn reduces the time they can devote to recuperation or their personal life. This imbalance is a major source of burnout, psychological distress, and long-term health problems among legal professionals.

In addition to performance requirements, the billable-hours model exacerbates work overload. Legal professionals find themselves managing several files simultaneously, often with tight deadlines, leading to chronic fatigue. What's more, the very nature of legal work—which for many legal professionals entails high emotional demands linked to managing client expectations and resolving conflicts—can lead to emotional exhaustion if adequate support is not provided.

In this context, implementing alternative working models such as flexible working hours and telework is crucial. Flexibility enables legal professionals to manage their time more effectively by adapting their working hours to their personal and family needs, thereby promoting a healthier work-life balance. For its part, telework, offers the opportunity to work in a less stressful environment, away from the distractions and pressures of the office. This work arrangement can contribute to significantly reduced stress, increased productivity, and improved job satisfaction overall.

It is therefore essential for legal firms and institutions to rethink their organizational models. By incorporating practices such as capping billable-hour targets, promoting teamwork and supporting mental health, employers can create a more supportive, less toxic work environment.

In addition, encouraging shared responsibility, collaboration, and open communication within teams can also help ease individual burdens and alleviate feelings of professional isolation. These strategies, combined with easier access to psychological support resources, can go a long way towards preventing burnout and improving the mental health of legal professionals.

In short, as the legal field continues to evolve, it is imperative that structures and working models also evolve to better meet the needs of legal professionals. Adopting alternative work models that limit the impact of billable hours and promote flexibility and telework is not only beneficial for the health and wellness of legal professionals, but it also strengthens the sustainability and efficiency of legal practice as a whole. By changing these practices, the legal sector can ensure that it remains an attractive and supportive environment for all its members.

RECOMMENDATION 2

PROMOTE DIVERSITY REPRESENTATION IN CANADA'S TERRITORIES

Promoting diversity within Canada's law societies is not only a matter of fairness and representation, it is also an essential strategy for strengthening the effectiveness and relevance of legal services. This approach would enrich the practice of law, promote a better understanding of the various legal issues within Canada's territories, and contribute to a more inclusive and equitable justice system. This is particularly relevant in the context of Indigenous peoples, whose unique needs and perspectives can best be served by a diverse legal community.

Embracing diversity within Canada's territories offers several significant benefits. Firstly, it improves decision-making and creativity by integrating a multitude of different perspectives. Studies have shown that diversified organizations are more innovative and successful. What's more, a diverse legal community would strengthen public confidence in the justice system, as it would better reflect the society it serves. For Indigenous communities, seeing lawyers from their own ranks can encourage greater participation in legal processes and contribute to a better understanding of the laws and rights that directly affect them.

With that in mind, legal organizations in Canada's territories could implement recruitment programs aimed specifically at attracting candidates from diverse communities, particularly Indigenous peoples. This could include partnerships with law schools and Indigenous organizations to identify emerging talent and encourage them to pursue a career in law. In addition, offering mentoring programs where

experienced lawyers coach younger ones can help break down the systemic barriers that sometimes discourage minorities from joining the profession.

It is also important that law society members receive regular training on diversity, inclusion, and cultural competence so that they can better understand and respect the diverse cultures they serve. This training should be particularly thorough when it comes to Indigenous peoples. Overall, these programs could help eliminate unconscious prejudices and biases and improve the quality of the legal service offered.

Implementing clear non-discrimination policies that support diversity within law societies is essential. These policies should include specific guidelines for promoting equity and managing complaints regarding allegations of discrimination. In addition, the creation of resource groups for Indigenous and other minority employees can provide a space where people can support one another and share their experiences, which would enrich the legal profession as a whole.

Recognizing and valuing the unique linguistic and cultural skills that Indigenous lawyers bring to the table is another strategy of promoting diversity. For example, Indigenous language skills can be extremely valuable in legal practice in Canada's territories, enabling more effective and respectful communication with Indigenous clients.

In short, promoting diversity within law societies in Canada's territories is an imperative that goes beyond mere compliance with ethical or legal standards. It strengthens the quality of legal practice, enriches the profession as a whole and ensures a more accurate representation of Canadian society. By implementing targeted strategies to include and support Indigenous peoples and other underrepresented groups, law societies can play a crucial role in building a truly inclusive and equitable legal system.

RECOMMENDATION 3
PROMOTE HEALTHY COPING STRATEGIES AND INCREASE SUPPORT
FOR LEGAL PROFESSIONALS WORKING IN CANADA'S TERRITORIES,
OFTEN IN ISOLATED CONDITIONS

In the legal profession, where stress is often an integral part of daily practice, adopting effective coping strategies is crucial. This is all the more relevant for legal professionals working in isolated regions such as the Yukon, the Northwest Territories and Nunavut, where professional challenges can be exacerbated by geographical remoteness and limited resources. Promoting and reinforcing healthy coping strategies can help create a "virtuous circle" that enables legal professionals to manage their stress more effectively and to maintain a sustainable, fulfilling practice.

Effective stress management not only benefits legal professionals' mental and physical health, it also strengthens their ability to provide quality legal services. Chronic stress can lead to fatigue and loss of concentration, compromising professional efficiency. As a result, promoting practices that support and improve the wellness of legal professionals working in Canada's territories is essential to preserving both their health and the quality of their practice.

Accordingly, law societies should diversify their training programs and workshops focused on wellness and stress management. These could cover relaxation techniques, meditation, mindfulness, and other proven methods for reducing stress, which have also been shown to improve concentration and efficiency at work.

Moreover, strengthening and promoting mentoring and peer support programs can be particularly beneficial in remote areas. These programs enable legal professionals to share their experiences and receive advice tailored to their specific context to help them to better manage the unique challenges they face.

It is also important to ensure easy access to psychological support services, such as psychologists or counsellors specializing in occupational stress management, particularly in remote areas. The use of these services could be facilitated by online consultations, which are particularly useful in areas where access to mental health professionals is limited. For legal professionals working in Canada's remote territories, access to online resources can play a crucial role. The development of dedicated legal support platforms that offer advice, webinars, and discussion forums can help bridge the gap caused by geographical isolation.

Another avenue for improving support for legal professionals would be to establish partnerships with local health services and community organizations to provide support programs tailored to the unique cultural and professional realities of practising law in Canada's territories. These collaborations could include awareness initiatives and practical workshops on wellness and stress management.

Organizations and law societies could also create regional support networks that facilitate communication between legal professionals in different regions. These networks would enable legal professionals to share resources, experiences and coping strategies for managing stress that they consider the unique challenges presented in these regions.

In conclusion, promoting stress management through concrete strategies is essential for legal professionals, especially those located in remote or isolated areas. By taking a proactive approach to wellness, law societies and organizations that employ legal professionals can not only improve the health and wellbeing of their members, but also ensure the delivery of high-quality legal services. Efforts to improve access to support resources and to promote stress management practices that are tailored to the specific characteristics of each region will contribute to a virtuous circle of wellness and professional efficiency.

1.7 SUPPORT RESOURCES AVAILABLE FOR LEGAL PROFESSIONALS IN CANADA'S TERRITORIES

EMERGENCY RESOURCES - NUNAVUT

Awareness Centre. Helpline (24/7): **867-982-0123**

Nunavut and Nunavik (Arctic Quebec). Nunavut Kamatsiaqtut Helpline
Toll-free (7 p.m. to 11 p.m.): **1-800-265-3333** | Helpline (7 p.m. to 11 p.m.): **867-979-3333**

EMERGENCY RESOURCES - NORTHWEST TERRITORIES

NWT Helpline. Toll-free (7 p.m. to 11 p.m.): **1-800-661-0844**

EMERGENCY RESOURCES - YUKON

Quick access to counselling services

Phone: **867-393-6930** or **867-393-6931** or toll-free from Yukon: **1-800-661-0408**

[Canadian Association for Suicide Prevention - Yukon](#): 2 p.m. to 10 p.m., 7 days a week
Phone: **1-844-533-3030**. Email: distressline@yukon.cmha.ca

Helpline - Yukon (10 a.m. to 10 p.m.): Phone: **403-668-9111**

[VictimLinkBC \(Yukon\)](#) (24/7). Phone: **1-800-563-0808**

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

- Law Society of Yukon - [Wellness](#)

PROGRAMS OR WEBSITES ON WELLNESS AND MENTAL HEALTH

- YLAP – Yukon Lawyers Assistance Program (24/7)
Phone: **1-867-668-4231**. Urgent after-hours calls: **1-867-332-4018**
By email: bnimco.eap@klondiker.com
- [Northwest Territories Assistance program](#) (Lawyer & Family Assistance Program LFAP)
By phone: **1-800-663-1142** or **1-888-384-1152** (TTY for the hearing or speech impaired)
- [Assist – Nunavut Lawyers’ Assistance Program](#)
Peer support helpline: **1-877-737-5508**
Professional advice 24/7: **1-877-498-6898**
- Nunavut Lawyers Assistance Program ([NuLAP](#)) (24/7)
- Wellness Together: Mental health and substance use Canada.
Phone: **1-866-585-0445** | Text message (SMS): WELLNESS to **741741**
[Online peer support for Addiction](#)
- Canadian Mental Health Association - [Yukon](#)
Phone: **867-668-6429** | Email: admin@yukon.cmha.ca

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