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# TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA



Phase II | 2022-2024

## RESEARCH REPORT **ONTARIO**

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

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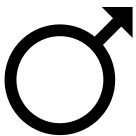
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# Phase I participants description: Law society of Ontario



**41.5%** of **women** with an average age of **41.6** years



**58.5%** of **men** with an average age of **46.8** years

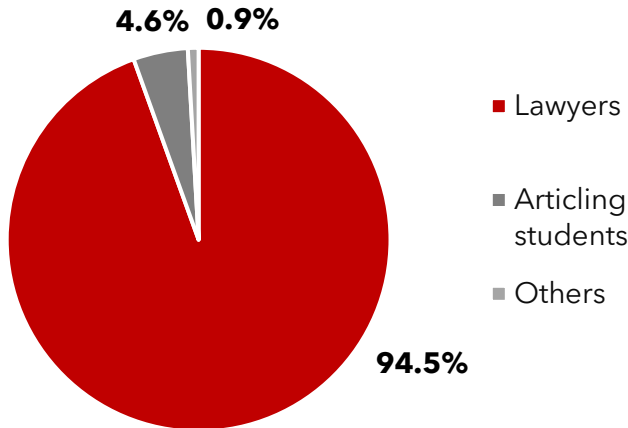


**0.6%** of **non-binary people** with an average age of **40.9** years

Portrait of **diversity** among participating legal professionals in Ontario (n = 2,805)



Proportion of participating legal professionals by **profession** in Ontario (n = 2,805)



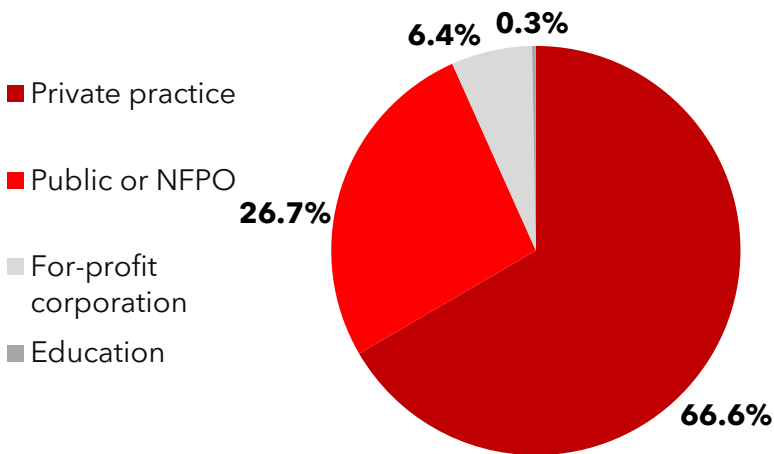
**41.3%**

Participating legal professionals in Ontario are members of the Canadian Bar Association CBA (n = 2,805)

**8.4%**

Participating legal professionals in Ontario are qualified from the National Committee on Accreditation NCA (n = 2,776)

Proportion of participating legal professionals in Ontario by **work setting** (n = 2,465)

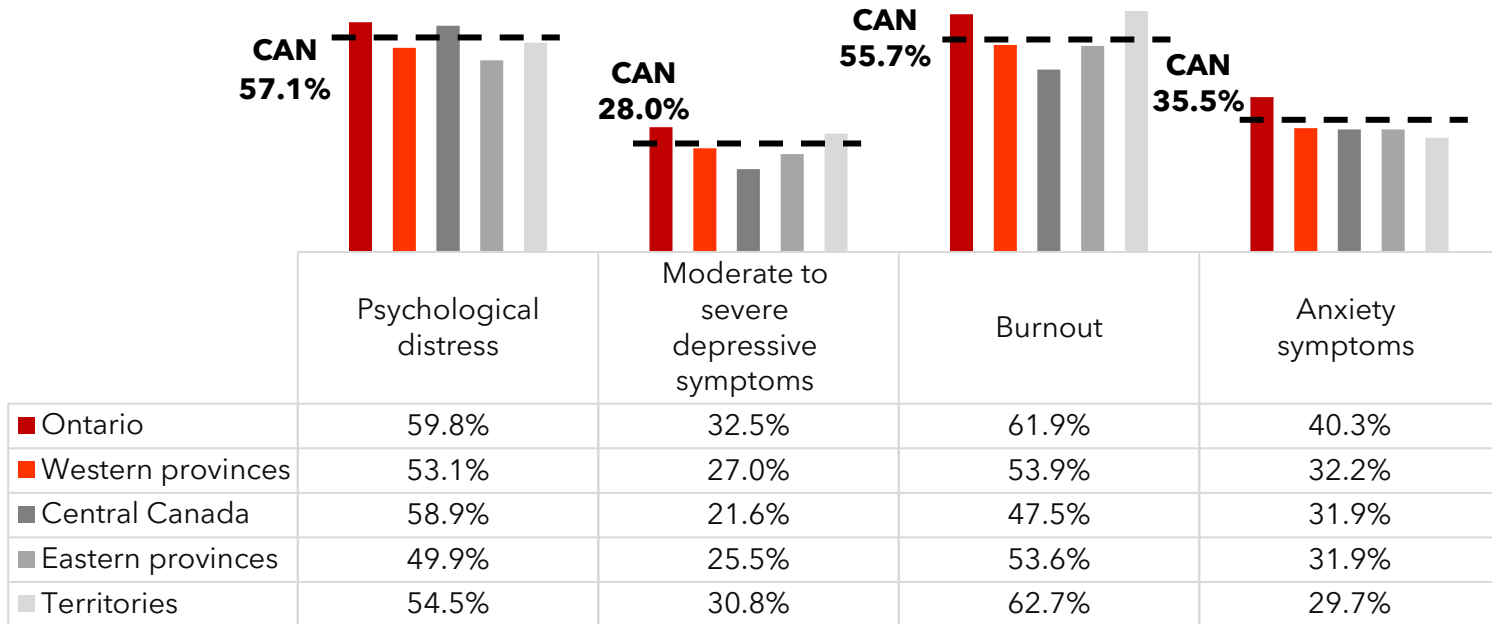


**Area of practice :**

- Family Law (10.5%)
- Criminal Law (16.9%)
- Civil Litigation (26.0%)
- Business, Corporate and Commercial Law (18.6%)
- Human Rights, Public and Administrative Law (5.7%)
- Labour and Employment Law (11.3%)
- Real Property (12.9%)
- Wills, Estates and Trusts (15.0%)
- Alternative Dispute Resolution (3.6%)
- Other (9.4%)

# Mental health indicators (Phase I): Law society of Ontario

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



**25.7%**

Participating legal professionals in Ontario have had **suicidal thoughts** since the beginning of their career (n = 2,318). The average in Canada is **24.1 %**



**48.2%**

Participating legal professionals in Ontario were **unable to seek help because of psychological health issues despite feeling the need for it** (n = 2,732). The average in Canada is **46.8 %**

Three main reasons for not seeking help:

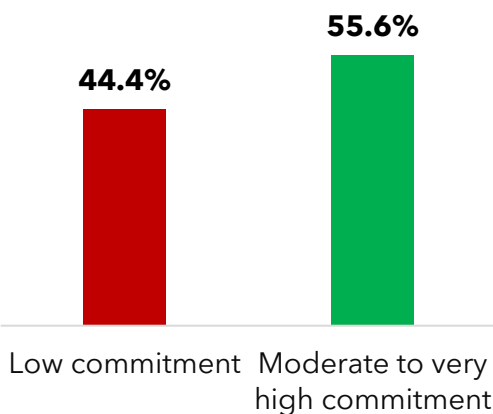
1. Thoughts that the issue is temporary **24.6%**.
2. Lack of energy of seeking help **19.0%**
3. Lack of financial resources **11.0%**



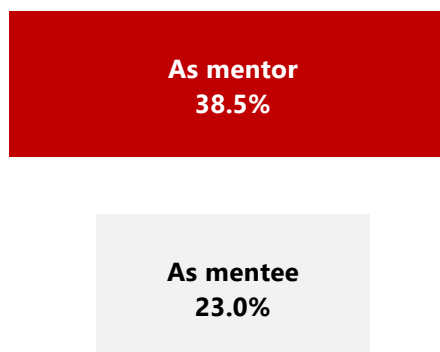
**8.6%**

Participating legal professionals in Ontario who **have taken more than three months of medical leave** in the past five years (n = 2,803)

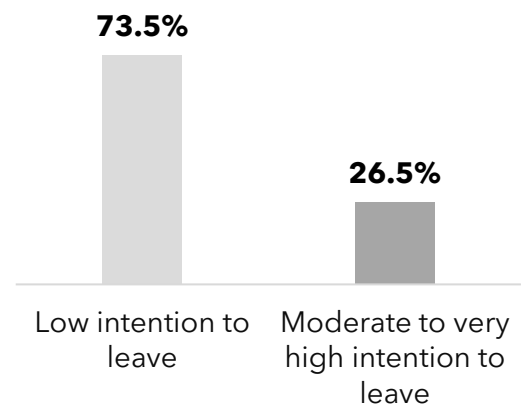
Proportion of **affective commitment to the profession** among participating legal professionals in Ontario (n = 1,910)



Proportion of **mentorship participation** among participating legal professionals in Ontario (n = 2,805)



Proportion of **intention to leave the profession** among participating legal professionals in Ontario (n = 1,923)



## INTRODUCTION | HEALTH AND WELLNESS PRIORITIES IN THE PRACTICE OF LAW IN ONTARIO

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

The first objective was achieved through quantitative data collected in Ontario during the first phase of the national project ( $n = 2,805$ ). The second objective is based on qualitative data gathered through interviews. As part of Phase II, 104 legal professionals working in Ontario, including 8 articling students, 83 lawyers, and 13 paralegals, 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 Ontario. In order to identify the priorities of legal professionals working in Ontario, a list of 10 key themes arising from Phase I (Cadieux et al., 2022) was included in the invitation sent to potential participants through their law society. These themes focus on the determinants of health and wellness in the practice of law. When expressing their interest to participate in an interview, legal professionals were asked to rank each of these priorities in order of importance. The three themes that were most important to them were then selected for the purposes of this report. Table 1 lists these priorities in order of importance.

**Table 1**

Prioritization of mental health and wellness themes according to participating legal professionals working in Ontario who expressed an interest in being interviewed

<b>Theme</b>	<b>Contents</b>	<b># of legal professionals for whom the theme is among the three most important themes to address</b>
<b>1</b>	<b>Working conditions and cognitive demands</b>	<b>63</b>
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Based on the results presented in Table 1, this report addresses the three themes most frequently reported as priorities: (1) working conditions and cognitive demands; (2) work-life balance; and (3) coping strategies and lifestyle. The results presented for each theme are based on weighted quantitative data obtained during Phase I in Ontario ( $n = 2,805$ ) and on interviews conducted during Phase II ( $n = 10$ ).

## 1.1 THEME 1 | WORKING CONDITIONS AND COGNITIVE DEMANDS

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

The first theme that emerged as a priority with respect to mental health and wellness among participating legal professionals working in Ontario focused on the working conditions that characterize their practice. On the one hand, working conditions can be analyzed by examining the constraints, i.e., the risk factors likely to increase the burden on legal professionals and thereby have a negative impact on their health. On the other hand, working conditions can also be analyzed by examining available resources, i.e., the protective factors likely to alleviate the burden of these constraints. Ultimately, it is the individual's appraisal of the constraints and available resources that will lead them to experience stress (Lazarus & Folkman, 1984).

### PORTRAIT OF CONSTRAINTS AT WORK

The first phase of the Towards a Healthy and Sustainable Practice of Law in Canada national survey made it possible to measure the proportions of the various constraints that emerged as being the most important to participating legal professionals in Ontario, as shown in Table 2 below. Although the proportion of certain constraints may seem low, they may nevertheless be significantly associated with certain mental health indicators among participating legal professionals, and vice versa. The relationship between constraints, resources and participating legal professionals' mental health will be presented later in this section.

**Table 2**

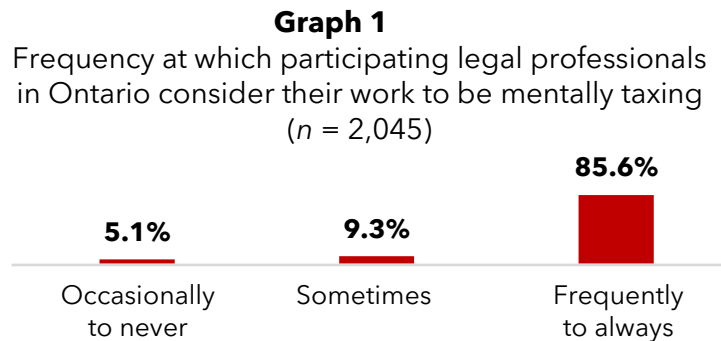
Presence of constraints in the practice of participating legal professionals in Ontario (in %)

<b>Constraints in the practice</b>	<b>Constraint present (in %)</b>
Qualitative overload	80.0%
Long hours worked (≥ 50 hour per week)	62.0%
Billable hour pressure	61.9%
Emotional demands	57.9%
Quantitative overload	47.0%
Lack of resources	32.2%
Pressure to perform	14.4%
Job insecurity	14.3%
Workplace incivility	12.0%
Workplace violence	5.1%

With respect to the presence of work constraints, four out of five participating legal professionals (80.0%) reported frequently to always experiencing qualitative work overload, such as when simultaneously managing several cases or performing mentally taxing work. Also, more than half of participating legal professionals reported long working hours in excess of 50 hours per week (62.0%) as well as frequently to always experiencing pressure to meet billable-hour targets (61.9%). Quantitative overload, i.e., when the workload exceeds available resources (e.g., time), was also reported by nearly half of participants (47.0%).

## Work overload: a pervasive issue among legal professionals in Ontario

As shown in Graph 1, more than four out of five participating legal professionals (85.6%) often or always consider their work to be mentally taxing due to the complexity of the tasks involved (including legal drafting and client relations) and the skills required to overcome this complexity, as explained by one participating legal professional in the following excerpt.



“Well, I would say, first of all, that the work itself is challenging, right? Just even though I finished law school, I was not prepared for how hard the actual work would be. Whether that’s drafting or research or dealing with clients or especially in litigation, which is what I want to go into, there are just so many skills that one needs to be a good litigator. And you’re dealing with a number of those skills every single day and you’re also dealing with a schedule that’s kind of unpredictable most of the time. Because as much as you want to plan ahead, you might wake up the next morning and there’s another matter that’s urgent for you and you need to focus on that. So that was to a certain extent difficult to deal with.” **ON-9**

In addition to the above-mentioned complexity (qualitative overload), there is also the issue of quantitative overload. Many legal professionals have to contend with an unpredictable schedule most of the time and with unexpected emergencies, all of which prevent them from planning their work schedules efficiently. What’s more, tight deadlines are also a source of stress, leading to professional dissatisfaction, as explained by one participating legal professional in the following excerpt. The participant in question likened the race to meet deadlines and the amount of responsibility that needs to be managed very quickly to drinking from a fire hose.

“For me, it’s the stress of deadlines. Every day you’re dealing with multiple deadlines. Whether they are court-imposed timelines that you have to meet, whether they are client deadlines which sometimes have some negotiation but often don’t, and then there’s your own personal deadlines that you impose on yourself sometimes, right? And so, deadlines are certainly a big part of the stress. And I think one of the areas that makes me unhappy in my practice is the constant chasing by deadlines.” **ON-5**

“And sometimes it’s like trying to drink from a fire hose, right? There’s no way to manage it all. So, I think that’s the biggest issue.” **ON-5**



## **Billable hours lead to performance pressure**

On a similar note, the pressure to perform billable hour is also a considerable source of stress among participating legal professionals, given that many hours are spent on tasks that are preliminary to the completion of a mandate but that are not billed. More concretely, 74.6% of participating legal professionals with billable-hour targets work more than 50 hours per week, while considerably fewer (53.0%) of those who do not have billable-hour targets reported working similar hours.

This means that some participating legal professionals have to work much longer hours in order not only to carry out their responsibilities, but also to receive adequate remuneration due to the fact that a significant proportion of their working hours are unpaid, as explained by one participant in the following excerpt.

“Donc à chaque dossier que j’ai qui n’est pas ordinaire, donc à peu près 80 % de mes dossiers, c’est de faire toute cette recherche-là sans nécessairement être payé pour cette recherche juridique là [...] Donc, dans une nouvelle pratique, c’est une source de stress aussi. Je viens de passer 20 h dans ma semaine qui ne seront jamais rémunérées.” **ON-10**



“Every hour, every moment is billable time and if you are not billing, then you’re not being productive enough.” **ON-4**

Although a number of organizations are implementing wellness initiatives among legal professionals, the fact remains that billable-hour targets are an obstacle to these initiatives. More specifically, billable-hour targets are prioritized without factoring in other contributions when measuring a legal professional’s value, as explained by one participant in the following excerpt.

“But, you know, the firms have kind of adopted this kind of approach to wellness, that I feel like isn’t entirely genuine, and we’ll have certain events, where we’ll have certain mental health practitioners come in and give us like a 20-minute meditation. But at the end of the day, they’re still looking at how many hours you’re billing, if you’re worth it to the business, regardless of your more intangible contributions to the firm, be it social, be it whatever else. I guess the bottom line is always the dollars and cents, and that is kind of antithetical to the mission of like maintaining your well-being. And it’s specifically so for downtown Toronto.” **ON-9**

## **Emotional demands on top of other constraints**

Emotional demands pose a challenge to the wellness of legal professionals. Indeed, they can lead to a negative perception of relationships between individuals in general, as explained in the following excerpt.

“

“It can be to some point, like vicariously traumatizing, right? Like hearing about clients’ difficulties and the things they go through. Especially working at legal aid, having to assist parents who’ve had their children taken away from them. And quite honestly, like not really wanting them to get their kids back because you don’t think they should get kids back, right? [...] Everyone that you see, all of your clients are dealing with a broken relationship. And so just having like: I got to a point where I felt like all relationships were abusive, all men were controlling, all relationships were bound to end. And you know, that’s quite difficult.” **ON-1**

This illustrates how difficult it can be for legal professionals to juggle the responsibility of representing their clients and the tension that arises from their clients’ dysfunctional family relationships. This same participant also mentioned that he had reached a point where he perceived all relationships as abusive, controlling, or doomed to failure.

It can also be emotionally draining to work with vulnerable clients, especially children, who require legal representation on top of other forms of assistance and for whom the stakes are very high, as one participant explained.

“Well, the area is stressful. And so right now my focus is on children’s issues and I’m doing family law and child protection [...]. So, the stakes are really high, and obviously, well, as a public office, we deal with some of the most vulnerable families. So, it’s kind of emotionally draining in that respect because they can have needs that are legal and non-legal, as well. So, we deal with families that have addictions or children who don’t have parents that can take care of them, or children who aren’t being supported on their gender journeys. So, you know, it’s stressful.” **ON-2**

”

### ***Incivility and violence in the workplace: concerning phenomena among legal professionals***

Finally, incivility and violence in the workplace are also sources of stress among participating legal professionals who have to deal with clients, colleagues or judges who behave abusively, are extremely critical, or who act in bad faith. One participant compared these situations to being on an island surrounded by sharks and likened the risks of setting foot in court or in the office to entering dangerous waters, as expressed in the excerpt below.

“

“Oh, boy. Where do I start? There can be stress from colleague to colleague. [...] you are criticized on social media platforms. You’re criticized by clients that you’re not getting them the outcome that they were hoping for or were expecting. [...] When you’re going to court, you’re dealing with stress on the other side, not wanting to play civilly. I almost equate it to you’re on an island by yourself and you have sharks all around you. It doesn’t matter where you turn, there’s always sharks and they’re out there to get you. So, the moment you set foot in your law firm or in your office right down to, when you get to the courthouse, there’s always stress that you’re dealing with. The cranky judge, cranky clients that don’t understand the process, that you don’t control how a judge decides on a matter, that’s outside of what you can control.” **ON-4**



The excerpt below highlights the fact that incivility and violence in the workplace seem to be even more prevalent among new professionals who are confronted with a culture where belittlement, degradation, backbiting and intimidation in the workplace by colleagues, particularly senior colleagues.



“And then some of the lawyers would talk about the students behind our backs. They might say, oh, this person is too anxious to be a lawyer or a good one at that. And I think it was just very unhealthy, very toxic. Unnecessary comments like that just made it more difficult to want to work there. And beyond that, they would also talk about the quality of our work respectively with one another. [...] Yeah, there are certain personalities, especially in the senior partners who want things done a certain way. They have their own standards, which is all fine and good, but I think that they’re kind of unrealistic and their personalities are kind of like of ego maniac, I would say. As they’re not afraid to yell at juniors, call them dumb, see their work as trash, and then tell them that they’re not meant to be lawyers. Stuff like that, I would say, is the worst of it.” **ON-9**

## OVERVIEW OF WORKPLACE RESOURCES

Table 4 shows the proportion of resources in Ontario that can help alleviate the strain on the mental health of legal professionals. For clarity, the percentages indicate the presence of resources among legal professionals who participated in the study, but a higher proportion does not necessarily imply a significant correlation with their mental health. The resources that emerged as the most present among participating legal professionals are skill utilization (96.7%), telework (88.2%), consistency of individual and organizational values (63.5%), autonomy (60.1%) and recognition (52.2%).

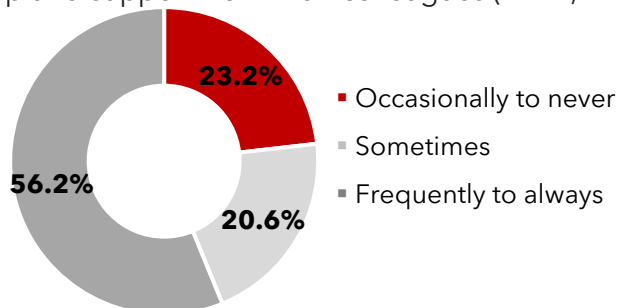
**Table 4**

Important resources for the health of legal professionals in Ontario (in %)

Resources in the practice	Resource present (in %)
Skill utilization	96.7%
Telework	88.2%
Consistency of values	63.5%
Autonomy	60.1%
Recognition	52.2%
Support from supervisor	45.6%
Support from colleagues	41.3%
Career opportunities	22.2%

**Graph 2**

Frequency at which participating legal professionals in Ontario consider that they receive help and support from their colleagues (n = 1,792)



More than half of participating legal professionals (56.2%) reported that they frequently to always receive support from their colleagues, while almost a quarter (23.2%) reported occasionally to never receiving it, as shown in Graph 2.

Support from colleagues can be viewed as a resource insofar as sharing information and questions promotes the emergence of solutions to various challenges posed by certain cases and adds value, as explained by one participant in the following excerpt.

« Tout le monde a le même défi parce que c'est le même environnement. [...] donc le fait de pouvoir partager et d'échanger avec eux sur ce qui fonctionne pour eux ou pas. Mais ça me permet d'améliorer mon système à moi aussi. C'est une belle dynamique de soutien qui aide beaucoup. [...] Puis on est capable de partager les solutions et ça, ça a une valeur inestimable ça aussi. » **ON-8**

Unfortunately, a majority of participating legal professionals reported that they do not receive any support from colleagues most of the time (58.7%), as shown in Table 4. Despite working in a context where emotional demands are very high, many legal professionals are expected to "suck it up," as their feelings are perceived as a weakness. This causes apprehension about opening up to one's colleagues or supervisor and leads to internalizing emotions in the workplace, as further illustrated in the following excerpt.

"I've been told on numerous occasions to suck it up. That if I could not take the heat, to get out of the kitchen. I recall at one time being in tears and having a director come up to me and say, 'This is what you signed up for. You need to toughen up!' I could not offer any form of explanation why I was in tears. It was seen as more as a weakness. I felt like I was being penalized. Even my colleague that I was working with who had also gone through her own form of trauma had said to me I need to toughen up because this is part of my role. Nobody wants to see someone weak. And so, I ended up just internalizing a lot of it. There was no one, there was really nobody I could turn to, like a lot of my other colleagues." **ON-4**

With respect to telework, which is generally perceived as a resource, it seems to elicit mixed feelings among participating legal professionals. Some view it positively, particularly in terms of the time saved by reducing travel, while others view it negatively because of how it limits human contact, which can lead to feelings of isolation and loneliness. As such, the loss of human contact caused by telework could impede support among colleagues, as we can see from the following excerpt.

"I don't think it was just the isolation and loneliness. I think that our move to a digital and hybrid practice has had real negative effects. We don't see our colleagues as much. We don't connect with our colleagues as much. We are less inclined to reach out or have a coffee with a colleague." **ON-2**

Finally, autonomy at work is perceived as providing greater control over workloads and schedules by six out of ten participating legal professionals (60.1%). Autonomy is even more beneficial when combined with support from supervisors, as explained by one participant in the following excerpt.

"Being able to work independently, having that flexibility. Having support from the higher-ups with whatever it is that one is dealing with. I know that if I need time off, I can simply go to my higher ups and say, 'Look, I need three weeks off. Don't schedule any more cases. My plate is quite full.' And there's no additional questions asked. Other than, 'what else can we do to help you.' I feel extremely blessed and extremely lucky [...]. I don't have to worry about being judged." **ON-4**

## THE IMPACT OF CONSTRAINTS AND RESOURCES ON MENTAL HEALTH

Following the analysis of the constraints and resources with which legal professionals working in Ontario must contend on a daily basis, the research team sought to further examine: (1) their respective contribution to participants' mental health, and (2) the correlation between these constraints and resources on the one hand and the mental health and work attitude indicators measured on the other. Table 2 shows the main results obtained.

**Table 3**  
Contribution of constraints and resources to the mental health of participating legal professionals working in Ontario

INDICATORS	Psychological distress	Depressive symptoms	Anxiety	Perceived stress	Burnout	Affective commitment to the profession	Intention to leave the profession
<b>CONTRIBUTION OF CONSTRAINTS</b>	<b>29.6%</b>	<b>27.9%</b>	<b>24.2%</b>	<b>32.7%</b>	<b>52.3%</b>	<b>12.5%</b>	<b>22.2%</b>
Quanti. overload	↑	ns	ns	↑	↑↑↑	ns	ns
Quali. overload	ns	ns	↑	↑	↑↑↑	ns	↑↑
Emotional demands	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↓↓	↑↑
Hours worked (≥ 50 h/week)	↓↓	↓↓	ns	ns	ns	↑↑	↓
Lack of resources	ns	ns	ns	ns	↑	ns	ns
Incivility	↑↑	ns	ns	ns	ns	↓↓↓	↑↑↑
<b>CONTRIBUTION TO WORK-LIFE CONFLICT</b>	<b>6.4%</b>	<b>5.6%</b>	<b>6.3%</b>	<b>9.5%</b>	<b>9.6%</b>	<b>4.1%</b>	<b>6.2%</b>
	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↑↑↑	↓↓↓	↑↑↑
<b>CONTRIBUTION OF RESOURCES</b>	<b>3.1%</b>	<b>2.2%</b>	<b>1.2%</b>	<b>0.7%</b>	<b>1.4%</b>	<b>13.8%</b>	<b>10.2%</b>
Autonomy at work	ns	ns	↓	↓	↓	↑↑↑	↓↓
Skill utilization	↓	↓	ns	ns	↓↓	↑↑↑	↓↓↓
Consistency of values	↓↓	↓↓↓	ns	ns	↓↓	↑↑↑	↓↓↓
Support from colleagues	↓↓↓	↓↓↓	↓↓	↓↓↓	↓↓	↑↑↑	↓↓↓
Telework	↑	ns	ns	ns	ns	ns	ns

Note: ns = non-significant contribution considering all factors. (↓) = negative association (↑) = positive association. The analyses presented in this table take into account the contribution of the following control variables: participant gender and number of years of professional experience. The number of arrows indicates the intensity of the correlation observed.

The results presented in Table 3 highlight the predominant weight of constraints compared with resources in understanding the variation in mental health indicators. More specifically, the contribution of constraints to the various mental health indicators measured ranges from 24.2% to 52.3%, while the contribution of resources to these same indicators ranges from 0.7% to 3.1%. These results illustrate the importance of focusing on constraints to improve mental health in the practice of law.

A closer look at Table 3 reveals the significant contribution ( $p \leq 0.001$ ) of emotional demands to the variation in all mental health and work attitude indicators. Other constraints that contribute significantly to certain mental health indicators include quantitative and qualitative overload, lack of resources, and incivility.

As for the number of hours worked, although long hours are considered a constraint, notably for the adverse effect they have on professionals' health (Cadieux & Marchand, 2015), they are significantly

associated with lower psychological distress and depressive symptoms (all  $p \leq 0.01$ ), greater commitment to the profession ( $p \leq 0.01$ ), and lower intention to leave the profession ( $p \leq 0.05$ ) among participants. There are several possible explanations for this correlation. Firstly, participating legal professionals working long hours may do so to offset the adverse health effects of a heavy workload, for example. Secondly, participating legal professionals who work long hours are usually assigned to more cases at any given time, which in turn means less job insecurity and less stress related to meet billable-hour targets. This would explain why long work hours, which are normally associated with poorer mental health (Cadieux, 2012), are positively correlated with mental health indicators among participating legal professionals in Ontario. In other words, it is not long work hours as such that positively influence participants' mental health, but rather the contextual protective factors arising from these long work hours.

As far as resources are concerned, those that contribute the most to mental health are support of colleagues, autonomy, skill utilization, and consistency of values between individuals and the organizations for which they work. Finally, telework was significantly associated with greater psychological distress among participating legal professionals in Ontario ( $p \leq 0.05$ ). This result may be due to the sense of isolation that participants may have felt coming out of the pandemic (i.e., when the data was collected) or to the poor degree to which certain participants adapted to telework.

## 1.2 THEME 2 | WORK-LIFE BALANCE

Authors: *Audrée B. Camille, M.Sc., CRHA, DBA Candidate; Prof. Nathalie Cadieux, Ph.D., CRHA*

Participating legal professionals in Ontario identified work-life balance as one of their top priorities. This section of the report offers an in-depth look at how participating legal professionals seek to reconcile their personal and professional lives. For the purposes of this report, work-life conflict is defined as the perceived feeling of conflict between a person's involvement in their professional and personal lives and the level of satisfaction derived therefrom (Sirgy and Lee, 2023).

Based on this definition, it is apparent that family role responsibilities arising from the structural characteristics of personal life such as marital status, parenthood, and relationships with relatives or friends can conflict with work role responsibilities. In addition, personal aspirations can lead to conflicting demands on legal professionals' time and energy.

### PROFILE OF PARTICIPATING LEGAL PROFESSIONALS IN ONTARIO WHO EXPERIENCE WORK-LIFE CONFLICT<sup>1</sup>

In Ontario, 53.5% of participating legal professionals reported experiencing work-life conflict. This conflict is likely to affect some legal professionals more than others based on certain demographic characteristics. Table 5 presents the proportion of legal professionals who reported the presence of work-life conflict by selected individual characteristics. It shows that (1) women, (2) legal professionals under 35 and (3) those with less than 10 years of experience are the most exposed to this conflict within the sample group. These results are consistent with those observed in other provinces and territories across Canada.

**Table 5**  
Presence of a work-life conflict by specific characteristics among participating legal professionals in Ontario (in %)

Demographic characteristics	Presence of	
Gender <sup>1</sup>	Women	58.7%
	Men	49.7%
Age	34 or under	60.6%
	35 to 49	57.8%
	50 and over	44.5%
Years of work experience	0 to 9	60.7%
	10 to 19	56.9%
	20 or more	45.5%

In light of these findings, it is clear that this work-life conflict also corresponds to the roles associated with different stages of family life, such as caring for elderly parents or young children. Some of the participants shared their thoughts on the subject in the following excerpts.

“My [close relative] was sick for a very long time, and I was the only caregiver. It's hard when you have other stuff on your plate personally; it just takes up more room, and it makes it harder to deal with the emotional and intellectual stuff.”

**ON-1**

“C'est difficile pour moi d'atteindre les objectifs, mais c'est normal parce que je suis une jeune maman. Éventuellement, je vais parvenir à passer plus de temps [au travail]. Mais en même temps, je ne veux pas non plus. Ma famille est importante et je veux passer beaucoup de temps avec ma famille aussi.”

**ON-6**

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

To better understand the pressures of work-life conflict among participating legal professionals in Ontario who have one or more dependent children, an analysis was conducted to assess the impact of parenthood on these participants' perception of this conflict. Feelings of work-life conflict were reported by 54.4% ( $n = 861$ ) of participating legal professionals with one or more dependent children and 52.7% ( $n = 1,044$ ) of those without. These results indicate that work-life conflict is experienced in similar proportions by participating legal professionals regardless of whether or not they have dependent children. Consequently, this suggests that having dependent children is a minor factor in the perception of work-life conflict among participating legal professionals in Ontario. This observation was also made at the national level during Phase I of this project (Cadieux et al., 2022).

During the interviews conducted with participating legal professionals, one participant shared their experience as the parent of a young child and the challenges of balancing their professional life and parental responsibilities at an early stage of their career.



« Avant d'avoir un enfant, je faisais de longues heures, j'arrivais plus tard le soir, j'avais plus de difficultés à passer à autre chose. Je pensais encore au travail. Depuis que j'ai un enfant, j'arrive plus tôt par choix, parce que mon travail va être encore là demain. J'accepte que tout ne soit pas terminé dans la même journée, car c'est important pour moi que je voie ma famille. » **ON-6**

Finally, it seems that certain personal abilities can influence legal professionals' ability to cope with the sometimes-conflicting constraints posed by their professional and personal lives. The first such ability is assertiveness, i.e., the ability to set limits and to express one's thoughts, feelings, and needs confidently without harming oneself or infringing on the rights of others (Sonnetag and Schiffner, 2019). The second skill is psychological detachment, i.e., to the ability to mentally disengage from work outside of office hours (Sonnetag and Schiffner, 2019). Table 6 shows the relationship between these abilities and the presence of work-life conflict among participating legal professionals in Ontario. More specifically, it shows that participants who possess these important mental health abilities are significantly less likely to experience work-life conflict than those who do not.

**Table 6**  
Presence of work-life conflict according to certain personal skills  
among participating legal professionals in Ontario

<b>Personal skill</b>		<b>Presence of work-life conflict</b>
Assertiveness	Poor ability to set limits	61.2%
	Strong ability to set limits	34.8%
Psychological detachment	Poor ability to psychologically detach from work	57.6%
	Strong ability to psychologically detach from work	22.8%

## **WORK CHARACTERISTICS ASSOCIATED WITH WORK-LIFE CONFLICT**

The next few paragraphs examine data obtained from Phase I of this research project (Cadieux et al., 2022), focusing on three factors: work setting, billable hours, and working with clients. The objective is to better understand the impact of these factors on participating legal professionals working in Ontario.

In terms of work setting, work-life conflict was present in 57.3% ( $n = 506$ ) of participating legal professionals in Ontario working in the public or NFPO sector and 54.6% ( $n = 1,153$ ) of those working in private practice. The public sector's favorable reputation when it comes to work-life balance is therefore not necessarily reflected in the proportions reported by participating legal professionals in Ontario. This discrepancy can be attributed to a variety of factors that underscore the complexity of work-life conflict challenges within different business sectors, including NFPOs. One participating legal professional in particular spoke of their decision to work in the public sector, notably to try and achieve the right work-life balance.

“I had a child, went back [to work] and realized that balancing the many competing demands was not what I wanted to do. I did not want to try and do everything and do it poorly. I wanted to try working in public practice to see if it has a better work-life balance.” **ON-2**

According to data from Phase I of this project, the pressure to perform billable hours was associated with work-life conflict among 65.6% of participating legal professionals. As a reminder, results from Phase I of the study showed that billable hours represent a significant risk factor for the mental health of Canadian legal professionals.

The following excerpt highlights the consequences of billable-hour targets for some participating legal professionals who find themselves having to set aside certain family responsibilities to meet work expectations. Accordingly, among the work characteristics associated with the presence of work-life conflict, billable hours weigh heavily in the balance.

“Every hour, every moment is billable time, and if you are not billing, you're not productive enough. It seems that taking time off for your child's school play or to go home when your child is sick is not a possibility in the field of law.” **ON-4**

When it comes to fulfilling life goals on both a professional and personal level, work-life conflict remains a major concern for all Ontarians, including legal professionals. To address this concern, Ontario became the first province to adopt a “right to disconnect” policy. Pursuant to section 21.1.2 of the Employment Standards Act, 2000 (S.O. 2000, c. 41, hereinafter, the “2000 Act”), “disconnecting from work” means not engaging in work-related communications (including e-mails, telephone calls, video calls or the sending or reviewing of other messages). However, the right to disconnect does not apply to legal professionals, namely lawyers and articling students, who are subject to special rules and exemptions for “Government employees and professionals” under Ontario Regulation 285/01 (Ontario Ministry of Labor, Immigration, Training and Skills Development). With that in mind, the implementation of management practices or corporate policies designed to promote work-life balance could play a crucial role in attracting and retaining legal professionals.

## 1.3 THEME 3 | COPING STRATEGIES AND LIFESTYLE

Authors: Marie-Louise Pomerleau, Master's Candidate; Prof. Nathalie Cadieux, Ph.D., CRHA

The third and final theme that emerged as a priority among participating legal professionals in Ontario is coping strategies and lifestyle. For legal professionals, the quest for a healthy, balanced lifestyle is a challenging puzzle, as they must deal with heavy workloads, great responsibilities, and long work hours on a daily basis. The stress that the practice of law creates was highlighted by the results of Phase I (Cadieux et al., 2022). As can be seen from the descriptive results presented in the first pages of this report, psychological distress, depressive symptoms, and burnout seem to be reaching particularly worrying levels among participating legal professionals in Ontario. These participants were asked about their lifestyle habits and the coping strategies they use to deal with everyday stress, as further examined in the following pages.

### WHAT IS A COPING STRATEGY?

"Coping" refers to the "cognitive and behavioral efforts to master, reduce, or tolerate the internal and/or external demands that are created by the stressful transaction" (Lazarus & Folkman, 1984, cited in Mariage, 2001).

Certain coping strategies are considered healthy while others are considered unhealthy (Stallman, 2020). Healthy coping strategies include self-soothing (e.g., positive self-talk, breathing), relaxing or distracting activities (e.g., changing thoughts, physical activity), social support, and professional support. Unhealthy coping strategies include negative self-talk (e.g., rumination), harmful activities (e.g., emotional eating, substance use, aggression, self-harm), social withdrawal, and suicidality (Stallman, 2020). Although both play an adaptive function for the individual, in contrast to healthy coping strategies, negative coping strategies may help individuals feel better temporarily, but are accompanied by unwanted health consequences in the longer term (Stallman, 2018). When a healthy coping strategy fails or is unavailable, individuals are likely to turn to an unhealthy coping strategy (Stallman, 2020). This phenomenon is supported by the following excerpt from the comments made by one of the participating legal professionals working in Ontario.

"There was no one, there was really nobody I could turn to, like a lot of my other colleagues. And so, you ended up just self-diagnosing yourself. And if that meant turning to drugs and alcohol; I took up smoking. And that was my way of coping with the stress." **ON-4**

Whereas this participant would initially have needed the support of a loved one or a health professional, they turned to substance use to cope with what they were experiencing in their daily life. This reality is not isolated, as many other participants reported resorting to substance use as a coping mechanism. Alcohol and drug consumption reported by participating legal professionals in Ontario are detailed below.

## UNHEALTHY COPING STRATEGIES

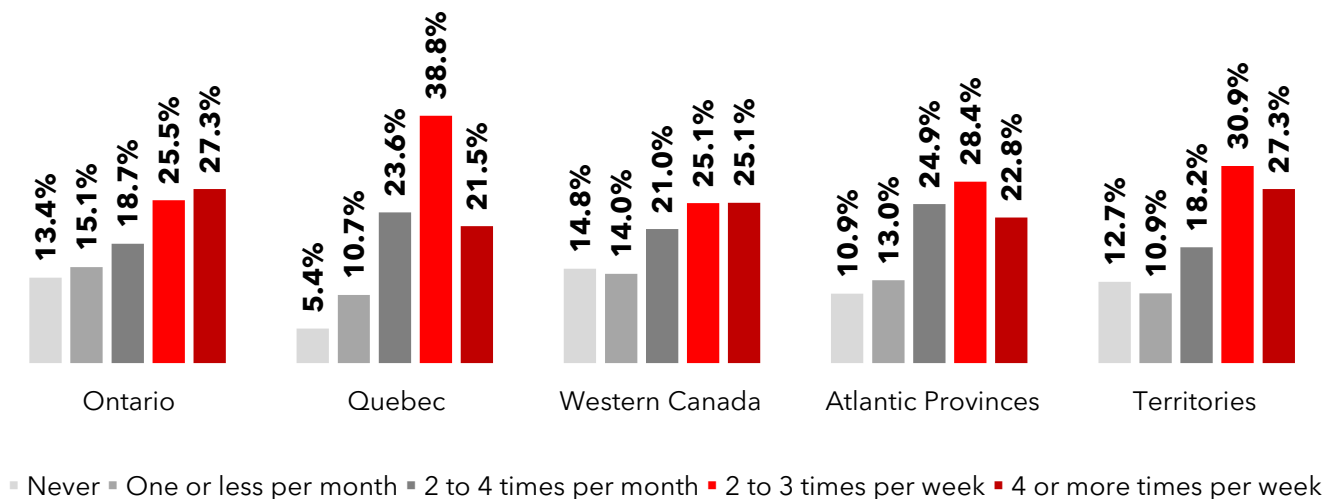
The first unhealthy coping strategy this report sought to examine is alcohol consumption. Graph 3 provides an initial snapshot of alcohol consumption among participating legal professionals in Ontario.



### *Alcohol consumption among participating legal professionals in Ontario*

**Graphique 3**

Frequency of alcohol consumption among participating legal professionals working in Ontario compared with those working elsewhere in Canada



Graph 3 shows the frequency with which participating legal professionals in Ontario consume alcohol compared with other Canadian provinces. These results show that 27.3% of participants in Ontario consume alcohol 4 or more times a week. This percentage is among the highest in all of Canada, equalled only by participating legal professionals working in the Territories.

These statistics are important to better understand the alcohol consumption behaviours of participating legal professionals. The Alcohol Use Disorders Identification Test (AUDIT-10) is a 10-item questionnaire with a score of up to 40 used to determine the level of risk associated with alcohol consumption (Babor et al., 2001). Table 7 shows the results of this questionnaire among participating legal professionals in relation to various scores found in the literature. It shows that 16.7% of participating legal professionals in Ontario had a score between 8 and 14, which is described in the literature as “harmful or hazardous” (Barbor et al., 2001). What’s more, 5.2% of participating legal professionals in Ontario had a score ranging from 15 to 40, suggesting the likelihood of possible alcohol dependence.

Alcohol consumption, which is often an integral part of people’s social lives, presents significant risks for both mental and physical health. In terms of mental health, the effects are multiple. For instance, a meta-analysis revealed that after consuming alcohol, the risk of committing suicide is seven times greater, and with severe consumption, it is thirty-seven times greater (Borges et al., 2017). In terms of physical health, the link between alcohol consumption and numerous diseases (e.g., cancer, cardiovascular disease, liver disease) has been proved more than once (World Health Organisation, 2018).

On top of its harmful effects on the health of legal professionals, substance use has repercussions on productivity within Canadian organizations. In fact, the Canadian Centre on Substance Use and Addiction (CCSUA) estimates that lost productivity due to substance use cost the Canadian economy \$22.4 billion in 2020 alone (CCSUA, 2023).

**Table 7**  
Proportion of participating legal professionals in Ontario by type of alcohol consumption and place of legal practice

	Ontario	Quebec	Western Canada	Atlantic Provinces	Territories
Low-risk consumption (AUDIT-10 score < 8/40)	78.1%	77.7%	79.3%	75.8%	74.5%
Harmful or hazardous alcohol consumption (high risk) (AUDIT-10 score ≥ 8/40)	16.7%	15.9%	15.1%	17.9%	18.2%
Probability of alcohol dependence/moderate to severe alcohol use disorder (high risk) (AUDIT-10 score ≥ 15/40)	5.2%	6.5%	5.6%	6.3%	7.3%



**Variation of alcohol consumption according to different profiles**

By examining different profiles within Ontario’s legal community, we can see that certain groups are more at risk of developing harmful drinking habits than others. Table 8 presents the proportions of low-risk and high-risk alcohol consumption (AUDIT-10 score ≥ 8/40) (Babor et al., 2001) among participating legal professionals in Ontario by selected demographic characteristics. The results show that men, participants with less than 10 years of experience, those working in private practice, and those whose work setting includes billable-hour targets present a greater proportion of high-risk alcohol consumption according to their AUDIT 10 scores.

As discussed in the first theme of this report, emotional demands represent a significant constraint for legal professionals. Moreover, they seem to have a noticeable effect on alcohol consumption. Indeed, high-risk alcohol consumption (AUDIT-10 score ≥ 8/40) reached 27.5% among participating legal professionals who are exposed to high emotional demands compared to 19.8% among those who are not, as shown in Table 8.

In fact, one participating legal professional mentioned that their family noticed a change in their demeanor since becoming a lawyer. The participant in question referred to a lack of tools for dealing with emotional demands and their impact on his behaviour. His comments underscore the importance of equipping legal professionals with tools intended to help them develop skills that promote healthy emotional regulation.

“Honestly, the emotional demands... I don’t know how well I handled them. I tried to do my best, but I know like honestly, at one point my mother told me I was a nicer person before I became a lawyer.” **ON-1**

**Table 8**

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

		Low-risk consumption (AUDIT-10 score $\geq$ 8/40)	High-risk consumption (AUDIT-10 score $\geq$ 8/40)
<b>Global</b>	All	78.1%	21.9%
<b>Gender<sup>2</sup></b>	Women	82.5%	17.5%
	Men	74.8%	25.2%
<b>Work experience</b>	Less than 10 years	74.9%	25.1%
	10 years and over	79.3%	20.7%
<b>Work setting</b>	Public and NFPO	79.3%	20.7%
	Private practice	76.2%	23.8%
<b>Billable-hour targets</b>	No	79.3%	20.4%
	Yes	76.2%	27.2%
<b>High emotional demands</b>	No	80.2%	19.8%
	Yes	72.5%	27.5%
<b>Assertiveness</b>	Poor ability to set limits	76.8%	23.2%
	Strong ability to set limits	81.2%	18.8%
<b>Psychological detachment</b>	Poor ability to psychologically detach from work	76.6%	23.4%
	Strong ability to psychologically detach from work	88.0%	12.0%

Note: Each highlighted proportion represents a significant proportion for that variable. Colors have been used to highlight the most important distinctions.

Finally, participating legal professionals with a high level of assertiveness (ability to set limits) or psychological detachment (ability to mentally disengage from work outside of office hours) appear more likely to demonstrate low-risk drinking behaviors, with an AUDIT-10 score below 8. One participant notably emphasized the importance of using these skills and taking responsibility for one's own wellness.

“”

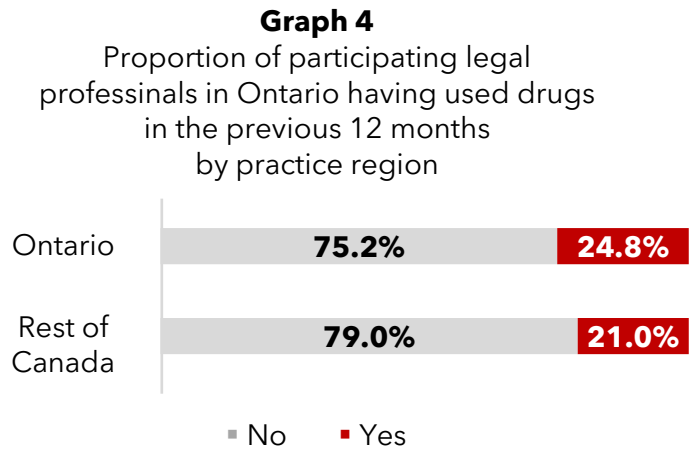
“Puis des fois, le monde va te regarder de travers parce que tu dis ‘il est 5 heures, je m’en vais’ ou tu dis ‘il est 3:30, je suis tanné, je m’en vais.’ Mais c’est la vie. Il faut prendre ses responsabilités pour soi, puis le faire. Sinon, tu travailles tout le temps et c’est facile de travailler tout le temps.” **ON-7**

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



## Drug use among participating legal professionals in Ontario

Drug use is another harmful coping strategy that can have serious long-term consequences. Graph 4 shows that almost a quarter of participating legal professionals in Ontario (24.8%) confirmed having used drugs in the 12 months preceding the survey. This percentage is higher than anywhere else in Canada. Among participating legal professionals in Ontario having used drugs during that period, 11.6% presented a moderate risk of substance use problems, 2.4% presented a substantial risk, and 0.2% a severe risk, according to their Drug Abuse Screening Test (DAST-10) scores (Skinner, 1982).



In addition to the habits associated with drug use among participating legal professionals, certain limiting beliefs prevented them from seeking out necessary resources to help themselves. Participant ON-8's comments show a certain trivialization of mental health issues. Indeed, similar comments were heard from numerous participants across the province. For example, some participants believed that time is the best medicine, or that their mental health condition was not serious enough to warrant concern. It is important to deconstruct these beliefs, since denial and trivialization could aggravate mental health issues among certain legal professionals. Moreover, the results obtained in Phase I of this project (Cadieux et al., 2022) show that more than a third of participating legal professionals across Canada (37.6%) did not seek counselling for the stress experienced in their practice because they did not have enough energy to engage in such a process.



"J'ai envie de parler de coaching à nouveau parce qu'il y a des programmes d'aide qui existent bien sûr, puis je les apprécie, mais je ne les ai pas utilisés pour être bien honnête. Je ne les ai jamais utilisés, notamment parce que je me dis toujours ah ta santé mentale, voyons, ça va bien (rire). Alors je n'ai pas tendance à les appeler parce que je ne vois pas mes difficultés comme étant liées à quelque chose qu'ils peuvent aider." **ON-8**

## HEALTHY COPING STRATEGIES



### Healthy lifestyle coping strategies among participation legal professionals

On a day-to-day basis, food choices, sleep habits, wellness practices and physical activity all have an impact on people's professional and personal lives. Today's performance-driven culture and hectic pace of life put considerable pressure on people's ability to distinguish between choices that are healthy and those that are less so. On the whole, participating legal professionals in Ontario were keen to share the effective coping strategies they use to ensure winning conditions on a daily basis and to manage the stress of professional practice.

Here are the main strategies that were shared during the interviews:

- ***Developing an interest or passion outside work***

Engaging in activities that take one's mind off things and allow one to breathe is a great way to manage stress. Involvement in a passion that lies outside the professional sphere promotes the development of new skills, which in turn leads to fulfillment outside the workplace. Several examples were cited by participating legal professionals in Ontario, including engaging in physical activity, meditating, watching movies, and reading, to name but a few.

“Yeah, number one would be to have interests and hobbies and life outside of law. And so, it's important for me personally to have hobbies and do things outside of work and then also physical exercise practices like mindfulness breathwork.” **ON-9**

“I really love movies. I majored in cinema in undergrad, so I really love to watch movies and think about them and talk about them. I have two cats; I love playing with them. I love planting plants, houseplants and herbs and stuff like that. I enjoy reading, whether that's reading the news or reading novels or magazines. I have recently gone into like spirituality, which has really changed my life. I tried to focus on some time of my day to that kind of stuff.” **ON-9**

- ***Seeking adequate support***

Whether from a healthcare professional, a colleague, or a family member, the benefits of seeking help are many. For many, the simple act of verbalizing what they are going through and the difficulties they are struggling with can help reduce the stress they are experiencing. Two participating legal professionals in particular shared their thoughts on the subject in the excerpts below.

“And then perhaps look for memberships in organizations or associations with people who are like me or who are maybe in the same practice area or just other people to talk to, who also get it and who has also experienced the same experiences as me.” **ON-9**

“I see a psychologist somewhat regularly for a few years now, so that's helpful. That's been one of my main supports.” **ON-5**

- **Being assertive and knowing when to say “no”**

Being assertive and knowing how to set limits requires accepting that we have limits in the first place and knowing what they are. This can represent an additional challenge for some at the beginning of their career, as pointed out by one participant in particular. A second participant stressed the importance of asking for help when needed and admitting one’s limits. Their thoughts on the subject are shared in the excerpts below.

“On apprend aussi à être plus efficace et à être moins accaparé par le travail qu’on doit faire. Alors ce qui prenait 10 heures à faire quand j’avais 25 ans va peut-être me prendre le tiers du temps maintenant. Alors, et on devient plus efficace, et on apprend à dire : c’est assez, j’arrête.” **ON-7**

“Je ne l’ai pas la réponse, je peux te la chercher, mais je ne l’ai pas. Ça, c’est ma stratégie de coping, c’est d’admettre que je ne savais pas. Ça, c’est une autre façon de gérer, de gérer l’imprévu, de dire oups je n’étais pas prêt pour ça. Je ne sais pas comment le gérer, mais je sais qu’il y a de l’aide.” **ON-8**

## 1.4 POTENTIAL SOLUTIONS PUT FORWARD BY PARTICIPATING LEGAL PROFESSIONALS

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

The analysis of interviews with participating legal professionals in Ontario revealed a number of solutions that support the importance of culture change and action directly at the source, on the constraints, rather than on the associated symptoms and illnesses. The excerpt from participant ON-8 supports this observation, which is also highlighted in the first theme addressed by this report. The message was clear: it is important to act directly on constraints in the practice of law given that their negative contribution to the health of legal professionals is proportionally higher than the positive contribution of available resources. These views are also in line with the hierarchy of preventive measures or hierarchy of controls – a recognized principle in occupational health and safety – that emphasizes the importance of prioritizing measures designed to eliminate and control hazards at their source. Equipping workers with the means to face these hazards is often a last resort (CNESST, 2023).

“[S]’il y a une chose [...] qui pourrait être faite différemment, je pense que c’est peut-être ça. C’est peut-être soit revoir la façon dont ces services-là sont offerts pour ne pas mettre autant l’accent sur le problème une fois qu’il est arrivé, et peut-être mettre l’accent sur les étapes de prévention qui peuvent être prises avant.” **ON-8**

The potential solutions put forth by participating legal professionals in Ontario fall into three main categories, namely: (1) Culture shift and direct action on work organization; (2) Support as an essential resource provided by different levels; and, (3) Wellness protection mechanisms. These potential solutions are detailed below.

### SECTION 1 - CULTURE SHIFT AND DIRECT ACTION ON WORK ORGANIZATION

#### *Rethinking workplace culture as foundational component*

Workplace culture was a central theme in all the interviews conducted with participating legal professionals, and an analysis of the data suggests that it may be a foundational component that affects the health and wellness of legal professionals in a number of ways. Indeed, by shaping the expectation of what the “ideal” legal professional looks like, workplace culture contributes to the pressure they feel to conform to that ideal on a daily basis. As such, workplace culture has the potential to stifle discussions about wellness and mental health issues and “motivates [legal professionals] to keep going without stopping.” The following excerpt supports this conclusion.

“[...] to improve things for other lawyers and to make it, so people feel like they can talk about things more openly and can be themselves more, and not have to conform to an ideal of what a lawyer should be.” **ON-1**

“I think you would have to be like a culture shift, really, because the profession, like I said, just motivates you to keep going without stopping.” **ON-8**

While promoting a workplace that fosters health and wellness is clearly desirable, the question arises: how do we actually go about initiating a culture shift? Participant ON-3 suggested two concrete potential solutions that could also facilitate the return to work after a disability: offering “programming” devoted to wellness and mental health and encouraging “open conversation” on the subject.

“I think talking about it is the first step to actually changing the workplace culture. And we need a major shift in the culture of all workplaces in the profession. And I know there are some workplaces where this is part of the conversation and it’s very positive and people feel like they’ve got a healthy work-life balance. But for the most part, I think talking about it is the first step, but the actual change so that we know we’re working in a place that we’re not hearing this chatter about other people. So, we don’t have to worry about if I take that leave, what are going to be the consequences.” **ON-3**

“I think certainly having programming devoted to wellness and mental health would be important just to show that this is something we want you to do, you know, and even changes in the workplace culture.” **ON-3**

“[...] having supports available would certainly facilitate that, a change in workplace culture. If we knew that the workplaces were having these open conversations and normalizing wellness and mental health kinds of conversations, I think that could help immensely for people to feel comfortable going back into the work environment.” **ON-3**

### ***Assertiveness (ability to set limits): “Moi, je ne rentre pas dans ce jeu-là” (ON-7)***

In response to the performance-driven culture that permeates the practice of law, some legal professionals chose to implement an individual coping strategy based on their ability to assert themselves and to set their own limits. This enables them to cope with the significant demands of their work while promoting a healthy work-life balance. The two excerpts below support this.

“Mais je pense qu’il y a juste l’avocat ou l’avocate qui doit dire ‘moi je ne rentre pas dans ce jeu-là, je ne vais pas embarquer sur une roue qui tourne, comme une souris.’ Puis, je vais prendre le temps, puis si ça veut dire que je ne conduis pas une BMW, mais tant pis pour la voiture. Et si ça veut dire que je n’habite pas dans un château, tant pis. Mais au moins je connais mes enfants.” **ON-7**

“[...] puis je leur dis non, tes courriels, je ne réponds pas. Garder cette demi-heure qu’on est ensemble et on va passer à travers tout. En une demi-heure, on va répondre aux huit, il n’y en a pas de problème. Mais si je dois répondre aux huit par écrit, à chaque fois, ça va me prendre 6 h. Puis je n’ai pas 6h, j’ai une demi-heure, ça va être ça. » **ON-8**

## **Improving work organization**

Touching on the different realities of certain practice areas, one participating legal professional mentioned the possibility of offering more flexibility in work schedules, especially in contexts where a typical work schedule (e.g., 9 a.m. to 5 p.m.) is not possible.

“More flexibility. Law is still a profession that is being done by a certain way. [...], make it more of a nine-to-five types of jobs. But I also understand that not all areas of law could be nine to five but allow some flexibility where if it could not be a nine to five.” **ON-4**

This solution aims to ensure that all the conditions are in place to promote a healthy work-life balance among legal professionals. Moreover, this flexibility would be even more beneficial for those who do not have typical work hours, who are required to work long hours (over 50 hours per week), or who have variable working hours.

Over the past few decades, most industries have adopted new technologies that facilitate instant communication. However, the reality of instant communication means that legal professionals, along with people in many other fields, now have to deal with frequent interruptions to respond to these communications (e-mails, telephone calls, etc.). In light of this relatively new reality, one participant suggested reducing the volume of communications, or at least implementing measures that would allow people to concentrate on their files without interruption, so that their attention is not constantly split.

“C’est en réduisant le volume de communications instantanées qui vont finalement à chaque fois interrompre [le rythme] et qui vont à chaque fois forcer notre attention à être divisée en plusieurs choses. Est-ce qu’on ne pourrait pas trouver une façon de travailler, qui existait jusqu’à il y a 25 ans et qui fonctionnait très bien jusqu’à il y a 25 ans, qui nous permet d’être focalisés sur la tâche sur laquelle on se concentre actuellement ?” **ON-8**

## **Implementing alternative models to billable hours**

The heavy demands associated with meeting billable-hour targets also characterize the workplace culture of many legal professionals. In firms that rely on a billable hours model, these targets are used to gauge the performance of legal professionals (Bergin & Jimmieson, 2014). This can put considerable pressure on legal professionals, especially at the beginning of their career. As billable hour targets rise, so does the pressure to perform and the harmful impacts on professionals’ health (Cadieux et al., 2022; Omari & Paull, 2013; Riley, 2007). Psychological distress and burnout are but two examples of these harmful effects.

In addition, it is important to consider that billable hours do not encompass all the hours that legal professionals actually work. In fact, they only represent 67.9% of those hours (Cadieux et al., 2022). The remaining 32.1% of hours worked are non-billable, and spent not only on pro bono cases, but also on participating in various mandatory firm/corporate, business development or community-based activities. As a result, many legal professionals are forced to extend their working hours in order to meet all their responsibilities and expectations, thereby compromising not only their health (Cadieux, 2012; Suwazono et al., 2003; Virtanen et al., 2011), but also their ability to achieve work-life balance (Albertsen et al., 2008; Caruso, 2006; Crouter et al., 2001; Jansen et al., 2004).

In light of this fact, one participant proposed using alternative mechanisms for assessing the value of young legal professionals, rather than evaluating them primarily on the basis of billed hours.

“It would be the billable hour, even though we didn’t have targets necessarily. They were just kind of weird billing hours, first, just for our own sake. And then also so that they can keep track of our hours and bill the clients, but also so that they can decide ultimately for our hire box. But honestly, I don’t think the billable hour has any place in work like this, because I think there are better determinants of how much our work is worth than how long it took for us to do it. And, you know, having targets is kind of a misplaced source of anxiety. And I think it prevents people from being able to do the best work they can because it’s like a constant threat looming over their head. That would be the number one thing I would change.” **ON-9**

As the first years of practice are a crucial learning period for young legal professionals, eliminating the pressure associated with meeting billable hours would facilitate their professional development. It would also give them the opportunity to improve their skills and to prove their worth by showcasing the quality of their work rather than by constantly striving to meet billable-hour targets at all costs.

Moreover, another participant suggested billing customers on a fixed-fee basis for specific cases, which would remove the pressure associated with meeting billable-hour targets. This type of alternative billing model would make it possible to assess a young legal professional skills and abilities while protecting their mental health and wellness.

“À moins que tout notre travail se fasse avec des frais fixes. Il y a certaines choses qu’on peut faire avec des frais fixes, donc, et au lieu de facturer chaque heure, ou on a un certain montant pour accomplir une tâche en particulier. Un prix fixe pour un testament, un prix fixe pour un document quelconque. Donc c’est un peu différent comme ça, mais je pense que là, une des choses qui pourrait aider, ce serait de davantage valoriser d’autres qualités ou d’autres aspects du travail qui ne sont pas nécessairement juste liés aux heures facturables; je pense que ça pourrait aider.” **ON-6**

## **FOCUS AREA 2 - SUPPORT AS AN ESSENTIAL RESOURCE PROVIDED BY DIFFERENT LEVELS**

### ***Offering support through mentoring and coaching***

As mentioned above, the first years of practice are crucial to the development of young legal professionals. With a view to optimizing this development, participants discussed the importance of making mentoring or coaching available to young professionals to help them with various aspects of their work, such as how to tackle a case, which laws to apply, and how to get their practice off to a good start. This strategy would reduce the amount of stress experienced by young legal professionals. One participant in particular shared their thoughts on the matter, as shown in the excerpts below.

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“Une des choses ça serait d’avoir un mentor un peu qui quand tu ouvres une pratique tu as un mentor avec qui tu peux être joint et puis t’appuyer dans l’ouverture de ta pratique. Ça, ça serait super. C’est vraiment quelque chose qui enlèverait un stress énorme pour les gens qui ouvre une pratique. Comme là on est obligé de choisir quelqu’un dans la communauté qu’on pense qu’il fait comme il faut...” **ON-10**

“Je sais qu’il y a des choses de mentor, on dirait une des choses que peut être qui serait bien, c’est ce genre de mentor là qu’on peut appeler le barreau poser des questions un peu juridiques sur quelle loi je pourrais m’appliquer sur telle chose ou j’ai un problème avec telle chose? Il y a des sites, un peu Facebook entre avocats, des avocats de migration, mais là, les gens écrivent leurs questions et d’autres y répondent. Moi, dans ma pratique, je fais ça, mais ce n’est jamais clair. Tu cours une chance que quelqu’un te réponde comme que personne ne peut te répondre. Donc ça c’est toutes des choses que j’avais à donner... Une chose qui serait bien, ce serait ça d’avoir un genre de centre d’appel, un peu pour avocats qui ne savent pas trop ce qu’ils font [rire].” **ON-10**

On a similar note, another participant stressed of the importance of coaching young lawyers as a means of supporting them during the early stages of their practice. These early stages can be quite disconcerting for young lawyers who find themselves juggling a great deal of uncertainty and stress in their practice (Bleasdale & Francis, 2020).

« Moi, je pense que tous les milieux juridiques, littéralement tous les milieux juridiques, devraient bénéficier de services de coaching. Et quand je dis coaching, je ne parle pas de, euh, de thérapeute ou d’aide à la santé mentale ou de psychologue, c’est que c’est complètement différent. C’est super utile, mais c’est complètement différent. Je parle de gens qui peuvent accompagner des professionnels dans leur pratique relativement à des questions qui ne sont pas des problèmes de santé mentale nécessairement, mais qui peuvent en devenir si rien n’est fait. Donc c’est un accompagnement avant que les choses se transforment en problèmes de santé mentale. Si c’était une chose [à améliorer], ça serait ça. » **ON-8**

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As such, It would be beneficial for young legal professionals to be able to count on the support of a mentor who could act on the root cause of an issue experienced at work. In this regard, numerous studies to date have highlighted a direct link between the quality of a mentoring relationship and a number of benefits, including the health, career and self-efficacy of young professionals (Chan, Guan & Choi, 2011; West et al., 2018).

Finally, mentoring is all the more important and beneficial for legal professionals working alone in their field of practice. Young professionals who are self-employed or who do not have access to colleagues working in the same field of practice within their organization frequently have no one to turn to for help or advice. Moreover, telework poses challenges that can adversely affect the quality of mentoring and the mentorship relationship, given the limited proximity between the mentor and mentee (Raghuram, 2014). It is therefore important to improve access to mentorship and the support that comes with it, especially for young legal professionals who are alone in their field of practice and working from home, as mentioned by a participant in the following excerpt.

“But I don’t think that the Law Society or the bar organizations are doing a good job of mentoring these young lawyers who are out on their own or maybe working with people who aren’t in their area. So, I think that the profession has some real challenges ahead about how to work in this new environment, especially with people working more virtually.” **ON-2**

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## **Ensuring closer support from supervisors in dealing with practice challenges whenever possible**

Along the same lines as the solutions proposed above, one participant mentioned the importance of early coaching and support for young legal professionals from their supervisor, in contexts where this is feasible. The aim would be to ensure that these young professionals have the tools they need to feel confident, as explained in the following excerpt.

**Participant:** « Une chose, ce serait une combinaison de... la juste mesure entre l'accompagnement, tôt dans la pratique, donc essentiellement s'assurer que quand la personne commence, elle a les outils dont elle a besoin pour se sentir en confiance essentiellement, tout en respectant l'autonomie. Puis en s'assurant que la personne sente dès le départ, quel que soit son emploi, quelle que soit sa fonction, quand elle va avoir le soutien de son leader essentiellement. »

**Interviewer:** « Puis j'en comprends, enfin j'en déduis, puis vous me corrigerez si ce n'est pas le cas, c'est pour faire face un peu aux stressés de la grande autonomie que vous parliez tout à l'heure. »

**Participant:** « Oui, oui, tout à fait, parce que je pense que la grande autonomie, elle est souhaitable. Je pense que c'est comme ça qu'on se développe comme professionnel. Je pense qu'il faut être en mesure de prendre des décisions, puis de gérer les conséquences. » **ON-8**

According to this participant, it is important to provide employees with the autonomy and space they need to grow professionally. In that context, coaching would help minimize the stress associated with autonomy, i.e., with working alone and managing uncertainty early on in one's career.

Given that the early stages of practice can be challenging for young legal professionals, particularly in light of the constraints imposed by their working conditions (see Theme 1), it is important for them to have a supervisor who checks in on them from time to time to see how they are doing. The aim of these check-ins is to foster a climate of openness in which these young professionals can express how they feel to their supervisor. The following excerpt supports this idea.

"You know, maybe just having a manager or someone to reach out and check in on how you're doing. My manager, while he's a good guy, he is not big on emotion. So, someone who is ok talking about emotions, and you know, talk about how you're feeling and how things are going." **ON-8**

A similar solution was put forward by another participant who mentioned that it would be helpful to have conversations with their supervisor not only about issues experienced at work, but also about work arrangements and accommodations that could benefit legal professionals and their employers alike.

"You know, I think it would be helpful to have a conversation with an employer. An employer being welcoming about, let's talk about, how are your feelings where you are? What kind of schedule works for you right now and what's the work that we can fit into that? Being able to work with the employer to set boundaries around that work, to be able to say, Yeah, you know, I can handle this type of file, but you know what, I can't work at night or on the weekends." **ON-3**

## ***Improving normative support***

Since the core mission of every Canadian law society is to protect the public, a complaint from a client regarding a legal professional will often result in a response from the law society, in question investigating said legal professional and supporting the complainant. Although this is the role of every law society and is therefore to be expected, one participant deplored the lack of support for legal professionals in these circumstances. In cases where an investigation ensues, it would be beneficial for law societies to support both the complainant and the affected legal professional throughout the process.

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“I feel like the law society, though, to me, doesn't seem sympathetic. So, it seems like if a client has a complaint about you, they are there to support the client and investigate you, not support you. So maybe if you are in one of those situations, be more supportive of the lawyer instead of being so focused only on investigation. Or maybe investigate the issue and support the lawyer, right? Not just investigate issues.” **ON-1**

## **SECTION 3 - WELLNESS PROTECTION MECHANISMS**

### ***Promoting the right to disconnect in concrete terms***

Given the rise of technologies that facilitate instant communication, it is now easier than ever to communicate with legal professionals around the clock. The downside is that this forces legal professionals to work outside of business hours on a regular basis. This culture of always being connected prevents legal professionals from resting and decompressing between workdays (Marcum et al., 2018), thus impeding their recovery. Moreover, working long hours (i.e., more than 50 hours per week) can lead to health issues among legal professionals, including depressive symptoms, anxiety, and sleep disorders (Bannai & Tamakoshi, 2014; Cadieux & Marchand, 2015; Virtanen et al., 2011). With that in mind, one participant stressed the need to put measures in place to encourage the right to disconnect, for example, by implementing policies that require legal professionals to disconnect from their work phones and to take time off.

“C'est peut-être quelque chose que le Barreau pourrait faire; essentiellement, obliger les bureaux d'avocats à obliger les avocats de prendre du temps de congé. Je sais qu'en Ontario, la province a fait une loi qui oblige certaines compagnies de débrancher les téléphones des employés sur certaines heures. C'est quelque chose comme ça qui devrait avoir lieu et ça va prendre beaucoup de travail.” **ON-7**

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### ***Offering systematic counselling to lawyers exposed to high emotional demands***

The findings from Phase I of this project (Cadieux et al., 2022) and the interviews conducted during Phase II leave no doubt as to the negative and systematic impact of high emotional demands on health. It goes without saying that certain areas of legal practice increase exposure to these demands, in particular criminal law as well as family and child protection law. Many legal professionals are repeatedly exposed to evidence that is difficult for most people to bear while still having to interact with distraught clients or victims of crime on a daily basis.

In this regard, one participating legal professional spoke of the need to offer counselling to legal professionals dealing with these emotional demands.

“I think having not just supports that, like, if you’re having trouble, call this number. But if people are dealing with those kinds of intense files that may be triggering, emotionally intensive or demanding, as you say, maybe having kind of an institutional policy about like, we want everybody talking to somebody once a month or whatever and having that support built into the workplace. So that it’s just something that everybody who works on these types of files does.” **ON-3**

These are substantial resources that would help prevent the vicarious traumas that can result from work on emotionally demanding matters.

### ***Promoting assistance programs that are not funded by a regulatory body***

The results from Phase I revealed that 46.8% of participating legal professionals in Canada did not seek help for mental health issues even when they felt the need to do so (Cadieux et al., 2022). Among the reasons given for not seeking help was fear of the consequences on their work (13.5%). Indeed, many participating legal professionals feared that disclosing their condition could lead their law society to question their ability to practise. This fear stems from the fact that most legal professionals believe that the assistance program is linked to the law society (in this instance, the Law Society of Ontario), as expressed by one participating legal professional in the following excerpt.

“In fairness, the Law Society does have ... they do have a hotline for lawyers to be able to call. I’m not sure why I never used that. I mean, I’m trying to think about why that didn’t seem like something for me, I guess maybe because in the back of my mind, there’s this fear that’s the law society regulates my license. So, should I be calling to talk about my struggles with anxiety and depression right now? You know, it’s unfounded, but I think maybe if there was a clear separation that’s offered by a completely different organization that’s got nothing to do with your law license might have been more attractive option for me anyway.” **ON-3**

This solution would effectively eliminate any concerns about confidentiality. To support this solution, action must be taken to clarify the relationship between assistance programs and law societies, while demonstrating a clear separation between the two. This might reduce the reluctance of many legal professionals to seek help out of fear of it having negative repercussions on their work.

## 1.5 CURRENT INITIATIVES TO SUPPORT A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN ONTARIO

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In the report from 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 and bar associations, academic institutions, assistance programs, organizations, etc.). Rooted in the data collected, these recommendations aim to reduce the prevalence of measured health issues (e.g., the prevalence of depressive symptoms), to tackle the source determinants of these issues (risk factors and protective factors, including stigma) and to maximize the mental health support and resources available to legal professionals.

A number of initiatives that align with the recommendations presented in Cadieux et al. (2022) previously existed or were implemented following the publication of the Phase I report. More specifically, our team identified 13 different major initiatives stemming from five recommendations. Table 9 presents each of these initiatives and compares them to the recommendations made by Cadieux et al. (2022). This table shows that certain proposed initiatives are in line with the needs expressed by participating legal professionals in Ontario and reported in this report concerning the importance of improving the support available to legal professionals in their practice.

The initiatives listed below are just a few examples of the most important ones being implemented by the Law Society of Ontario 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 9 does not include initiatives that may have been implemented by private or public organizations within the province or by various associations or interest groups, which were not accessible to the research team. As such, the initiatives examined are limited to those brought to the attention of our research team by the partners organizations involved, i.e., the Federation of Law Societies of Canada, the Canadian Bar Association, and the Law Society of Ontario.

**Table 9**

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

<b>Initiative</b>	<b>Initiative-related recommendation from Phase I</b>
(i) Practise Management Helpline: a confidential telephone service to assist licensed legal professionals with questions about Rules of Professional Conduct, Paralegal Rules of Conduct, and other topics related to professionalism and practice management. Website: <a href="https://lso.ca/lawyers/practice-supports-and-resources/practice-managementhelpline">https://lso.ca/lawyers/practice-supports-and-resources/practice-managementhelpline</a> .	2) Improve supports and guidance available at entry to the profession.

<b>Initiative</b>	<b>Initiative-related recommendation from Phase I</b>
<p><b>(ii)</b> Coach and Advisor Network (CAN): provides licensed legal professionals with access to shorter-term, outcome-oriented relationships with Coaches and Advisors drawn from the professions. Website: <a href="https://lso.ca/lawyers/practice-supports-and-resources/coach-and-advisor-network">https://lso.ca/lawyers/practice-supports-and-resources/coach-and-advisor-network</a>.</p>	<p>3) Improve the continuing professional development (CPD) for legal professionals.</p>
<p><b>(iii)</b> Since 2021, the Law Society of Ontario hosted the <i>Legal Professionals Mental Health Summit</i> to raise awareness within the legal community of the impact of mental health issues on the profession, to combat stigma, and to provide practical strategies that licensed legal professionals can implement to support their wellness.</p>	<p>5) Implement actions aimed at destigmatizing mental health issues in the legal profession.</p>
<p><b>(iv)</b> Personal Management Guideline: provides strategies for recognizing sources of stress and symptoms of mental illness as well as support and resources for managing personal wellness within the legal profession. Website: <a href="https://lso.ca/lawyers/practice-supports-and-resources/practice-management-guidelines/personal-management">https://lso.ca/lawyers/practice-supports-and-resources/practice-management-guidelines/personal-management</a>.</p>	<p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p><b>(v)</b> Discrimination and Harassment Counsel: provides assistance to licensed legal professionals, candidates to the profession, and members of the public who experienced discrimination or harassment by a lawyer or paralegal based on their mental health or any other grounds. Website: <a href="https://lso.ca/protecting-the-public/information-for-licensees/discrimination-and-harassment-counsel">https://lso.ca/protecting-the-public/information-for-licensees/discrimination-and-harassment-counsel</a>.</p>	<p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p><b>(vi)</b> The Law Society of Ontario hosts the Equity Legal Education Series annually to promote awareness, education and discussion on the challenges and opportunities for Francophone, Indigenous, and equality-seeking communities in law and the legal professions. . All events were organized and held online, with presenters and participants from all over Ontario. In all, 10 events took place, totalling over 9,000 participants.</p>	<p>7) Promote diversity within the profession and review practices, policies and procedures that may include or create discriminatory biases.</p>

<b>Initiative</b>	<b>Initiative-related recommendation from Phase I</b>
<p><b>(vii)</b> A Women’s Resource Centre on the Law Society’s website provides resources to guide women legal professionals through various phases of their careers.</p>	<p>7) Promote diversity within the profession and review practices, policies and procedures that may include or create discriminatory biases.</p>
<p><b>(viii)</b> A new Well-being Resource Centre has been added to the Ontario Law Society’s website, providing information on and access to a number of Law Society and community resources that support wellness.</p>	<p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p><b>(ix)</b> Member Assistance Program (MAP): Provides secure, single sign-on or telephone access to counselling, coaching, online resources and peer volunteers. Members can get professional help with issues related to addictions, mental or physical health, work-life balance, career, family and more. Website: <a href="https://lso.ca/lawyers/well-being-resource-centre/member-assistance-program-(1)#peer-support-program-5">https://lso.ca/lawyers/well-being-resource-centre/member-assistance-program-(1)#peer-support-program-5</a></p>	<p>6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p><b>(x)</b> Continuing Professional Development (CPD) programs focusing on both licensee and client mental health, including, but not limited to, the following topics: Sleep and your Mental Health, Stress Management for Legal Professionals, Best Practices for Serving Clients with Mental Health Needs, and the Intersection Between Mental Well-being and Litigation Practice. Website: <a href="https://lso.ca/lawyers/well-being-resource-centre/continuing-professional-development-programs">https://lso.ca/lawyers/well-being-resource-centre/continuing-professional-development-programs</a></p>	<p>3) Improve the continuing professional development (CPD) for legal professionals</p>
<p><b>(xi)</b> Practice Review: A process that evaluates a licensee’s practice to ensure compliance with professional standards and regulations. It involves reviewing files, financial records, and practice management practices to identify areas for improvement and provide guidance. The review aims to support licensee’s by offering recommendations for enhancing their practice and addressing any identified issues. Website: <a href="https://lso.ca/lawyers/about-your-licence/practice-reviews">https://lso.ca/lawyers/about-your-licence/practice-reviews</a></p>	<p>2) Improve supports and guidance available at entry to the profession</p>

<b>Initiative</b>	<b>Initiative-related recommendation from Phase I</b>
<p><b>(xii)</b> Practice Review Report Guidance: Intended to offer additional support and direction to licensees following a Practice Review. It addresses various practice management issues that may have been evaluated and discussed during the review. Website: <a href="https://lso.ca/lawyers/about-your-licence/practice-reviews/practice-review-report-guidance">https://lso.ca/lawyers/about-your-licence/practice-reviews/practice-review-report-guidance</a></p>	<p>2) Improve supports and guidance available at entry to the profession</p>
<p><b>(xiii)</b> Spot Audit: Designed as a proactive compliance measurement and problem detection tool. They assess the integrity of financial filings (By-law 8), assess ongoing compliance with financial record-keeping requirements (By-law 9) and the Rules of Professional Conduct, and identify serious misconduct related to financial matters. A primary goal, which reflects a remedial approach, is to provide on-site guidance to help law firms correct deficiencies with record-keeping practices before they lead to serious non-compliance or misconduct issues. Website: <a href="https://lso.ca/lawyers/about-your-licence/spot-audit#the-spot-audit-program-overview-5">https://lso.ca/lawyers/about-your-licence/spot-audit#the-spot-audit-program-overview-5</a></p>	<p>2) Improve supports and guidance available at entry to the profession</p>

## HEALTH AND WELLNESS INITIATIVES IMPLEMENTED BY LEGAL ORGANIZATIONS

Organization	Initiative	Recommendation from Phase I
Ontario Bar Association (OBA)	OBA Wellness Hub: Offers resources and initiatives to promote mental health and well-being among legal professionals, including workshops, guided meditation, webinars, online video series (e.g., Lawyers on Zoom Drinking Coffee) and access to mental health resources. <a href="https://www.oba.org/wellness">https://www.oba.org/wellness</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
Ontario Bar Association (OBA)	Peer Support Network: Connects members with peers who provide confidential support and guidance on navigating challenges, managing stress and maintaining work-life balance, including the following communities: Unite and Support (EDI), Parent and Caregiver Network, Lawyers Living Disabilities and Peer Meetings. <a href="https://www.oba.org/OBA-Peer-Support/Home">https://www.oba.org/OBA-Peer-Support/Home</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
Ontario Bar Association (OBA)	The Mindful Lawyer CPD Series: A series of CPD programs designed to help legal professionals integrate mindfulness practices into their work and personal lives. The series offers workshops and seminars that focus on mindfulness techniques, stress reduction, and work-life balance. <a href="https://www.oba.org/openingremarks/MindfulLawyer">https://www.oba.org/openingremarks/MindfulLawyer</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
Ontario Bar Association (OBA)	Continuing Professional Development (CPD) programs focusing on mental wellness, including, but not limited to, the following topics: The Working Mind (Workplace Mental Health and Wellness Training) and Mental Health and Well-Being in the Legal Profession. <a href="https://www.cbapd.org/details_en.aspx?id=ON_ON24_OBA13I">https://www.cbapd.org/details_en.aspx?id=ON_ON24_OBA13I</a>  <a href="https://www.mdcme.ca/course_info/stigma_legal">https://www.mdcme.ca/course_info/stigma_legal</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
Ontario Bar Association (OBA)	Mental Health Briefs: Offers concise, practical tips to help Ontario lawyers understand mental health issues and access available resources. These briefs are created by various contributors sharing insights from their personal perspectives and are intended to complement, not replace, professional care. <a href="https://www.oba.org/openingremarks/Mental-Health-Briefs">https://www.oba.org/openingremarks/Mental-Health-Briefs</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.

Ontario Bar Association (OBA)	Mental Health Interview Series: Features engaging discussions led by Orlando Da Silva, LSM, who served as OBA President in 2014-15. In these interviews, lawyers and mental health experts share their experiences and insights on managing mental health challenges within the legal profession. The interviews provide insights into managing stress, maintaining well-being, and addressing mental health challenges within the legal field. <a href="https://www.oba.org/openingremarks/Interview-Series">https://www.oba.org/openingremarks/Interview-Series</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
The Advocates' Society (TAS)	TAS Mentoring Portal: A mentoring program exclusively for TAS members which was launched in January 2023. The program is hosted on Mentorship Rocket, a platform that supports micro-mentoring sessions, to create a simple way for new and less experienced members to feel more connected to their professional community and obtain career advice from more senior members of the bar. <a href="https://advocates.ca/TAS/Community_Events/Mentoring.aspx">https://advocates.ca/TAS/Community_Events/Mentoring.aspx</a>	(2) Improve supports and guidance available at entry to the profession.
The Advocates' Society (TAS)	Continuing Professional Development (CPD) programs focusing on mental wellness, including, but not limited to, the following topics: Lawyers' Mental Health: Navigating Difficult Conversations. TAS members can access a selection of archived TAS programming for free 24/7 on their Member Resource Library. <a href="https://www.advocates.ca/TAS/Professional_Development">https://www.advocates.ca/TAS/Professional_Development</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.
Toronto Lawyers' Association (TLA)	TLA Library Services: The Court House Library provides a full range of research services to members of the Ontario Bar, the Judiciary, articling students, and the public. Services provided include locating in-depth commentary on a specific legal topic, case law and legislation, and access to electronic databases.	(2) Improve supports and guidance available at entry to the profession.
Toronto Lawyers' Association (TLA)	Continuing Professional Development (CPD) programs and Seminars: Hosts events and seminars focused on mental wellness, covering topics such as mindfulness, stress management, work-life balance, and coping strategies, including Mindfulness & Law Series - Practising Law Gracefully and An Introduction to Mindset Mastery for Lawyers. <a href="https://www.tlaonline.ca/viewEvent.html?productId=7168">https://www.tlaonline.ca/viewEvent.html?productId=7168</a>  <a href="https://www.tlaonline.ca/viewEvent.html?productId=7141">https://www.tlaonline.ca/viewEvent.html?productId=7141</a>	(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.

<p>Toronto Lawyers' Association (TLA)</p>	<p>Member Benefits and Supports: Offers resources, social events and informal networking, and support to help members address personal and professional challenges impacting their well-being.</p> <p><a href="https://www.tlaonline.ca/site/membership/benefits?nav=sidebar">https://www.tlaonline.ca/site/membership/benefits?nav=sidebar</a></p>	<p>(2) Improve supports and guidance available at entry to the profession.</p>
<p>Lawyers' Professional Indemnity Company (LawPRO)</p>	<p>Continuing Professional Development (CPD) programs and materials focused on risk management and effective legal practice. These resources include webinars, articles, and tools designed to help lawyers stay informed about best practices, minimize risks and avoiding burnout, which contribute to overall wellness by reducing stress associated with malpractice claims and other professional challenges.</p> <p><a href="https://www.practicepro.ca/practice-aids/wellness/">https://www.practicepro.ca/practice-aids/wellness/</a></p>	<p>(6) Improve access to health and wellness support resources and break down barriers that limit access to these resources.</p>
<p>Lawyers' Professional Indemnity Company (LawPRO)</p>	<p>Practice Aids: Provide resources for effective legal practice management and risk reduction, including practical guides, new lawyer resources, checklists, and precedents and retainer templates. These tools help with client management, file organization, and compliance, while also offering risk management resources to minimize liability and improve practice efficiency.</p>	<p>(2) Improve supports and guidance available at entry to the profession.</p>

## 1.6 TARGETED RECOMMENDATIONS OF THE RESEARCH TEAM

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

In recent years, the Law Society of Ontario has been implementing initiatives to improve the wellness of legal professionals practising in the province. Recent initiatives include a Well-being Resource Centre on the Law Society's website as well as various initiatives to raise awareness among Ontario's legal professionals about the importance of stress and other factors that can lead to mental health issues in the course of one's career.

These initiatives are a source of inspiration and are paving the way towards the future of the profession in Ontario. 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 Ontario; (3) the identified initiatives that are currently being implemented by the Law Society of Ontario; 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 IMPROVE THE PREPARATION OF FUTURE LEGAL PROFESSIONALS TO SUPPORT THEM TO DEAL WITH PSYCHOLOGICAL HEALTH ISSUES**

As shown in this report, entering the legal profession in Ontario presents considerable challenges, particularly in terms of working conditions, work-life balance, and stress management. Young legal professionals are particularly vulnerable to this transition due to their lack of experience and simultaneous exposure to professional and personal pressures. It is therefore crucial to implement initiatives to improve their preparation, support, and supervision.

Often less equipped to cope with daily stressors than their more experienced colleagues, young legal professionals must navigate demanding work environments while juggling a number of personal challenges such as first-time home ownership, job insecurity, and having children. This exposes them to an increased risk of stress, which impacts both their mental health and their professional performance.

To mitigate these challenges, it is recommended that initiatives be implemented to better prepare young legal professionals for entry into the profession. This includes integrating transversal skills that are critical to professional life into university curricula. Skills such as time management, self-awareness, and emotional intelligence can be taught as early as law school to provide future lawyers with valuable tools for managing stress and professional demands.

In addition, increased support in the early years of practice is crucial. Mentoring programs within law firms can offer valuable support to young legal professionals, thus helping them navigate the challenges of the profession. In this context, initiatives that offer activities specifically designed for young legal professionals, particularly ones that facilitate networking and experience sharing while reducing isolation, are strongly encouraged. It is important to acknowledge the initiatives implemented by various legal professional associations in Ontario. These efforts must be sustained over the years to facilitate the professional integration of young people into the field.

Professional associations can also play a key role by offering peer support programs. These committees enable young legal professionals to discuss their challenges with colleagues experiencing similar situations, fostering a sense of camaraderie and mutual support.

Adequate support at the beginning of their career is essential not only to protect the mental health of young legal professionals, but also to enable them to acquire effective working methods. Once integrated, these skills will accompany them throughout their career, increasing both their efficiency and job satisfaction.

Moreover, this type of support is likely to foster young legal professionals' emotional commitment to their profession. When young legal professionals feel supported and valued, they are more likely to develop a positive emotional attachment to their career, which can influence their intention to remain in the profession in the long term.

Better preparing young legal professionals for their entry into the legal profession in Ontario is a priority to ensure their long-term wellness and success. By integrating cross-disciplinary skills into academic curricula, offering greater support through mentoring and targeted activities, and promoting peer support programs, it is possible to better protect the mental health of young legal professionals entering in the first stages of their careers. These initiatives will also strengthen their commitment and job satisfaction, thus contributing to a more sustainable and resilient legal profession.

**RECOMMENDATION 2**  
**PRIORITIZE ACTION ON RISK FACTORS THAT COMPROMISE THE MENTAL AND PHYSICAL HEALTH OF LEGAL PROFESSIONALS, INCLUDING BILLABLE-HOUR TARGETS**

Balancing productivity and wellness is a major challenge for legal professionals. High demands, particularly in terms of meeting billable-hour targets, pose significant risks to both their mental and physical health.

The analyses carried out as part of Phase I of the national project (Cadieux et al., 2022), as well as those presented in this report, clearly show that it is imperative to focus on the risk factors that compromise the health of legal professionals. Long working hours, exacerbated by the demands of billable hours, are among the main risk factors. Indeed, these additional hours not only lengthen the workday, but also create work overload among many legal professionals, which lead to overexposure to emotional demands and other stressors.

When used as a measure of productivity, billable-hour targets drive legal professionals to maximize their working time, often to the detriment of their health. According to Cadieux et al. (2022), an increase in billable hours is correlated with an increase in mental health issues among legal professionals.

To limit the negative impact of billable hours and other stressors, several courses of action need to be considered, including reducing billable-hour targets for legal professionals. This recommendation is supported by publications such as that of the New York Bar Association (NYBA) in the United States, which suggest capping annual billable-hour targets at 1,800 hours and considering alternative billing mechanisms that focus on client expectations in terms of added value rather than time spent (NYBA, 2021).

In addition to reducing billable-hour targets, it is crucial to develop support strategies for legal professionals. These strategies can include wellness programs, stress management training, and flexible working policies. Providing resources to deal with emotional demands and vicarious trauma can also help to reduce their negative impact on mental health.

By focusing on these elements, law firms and other legal workplaces can create a healthier, more balanced working environment. This not only improves the mental and physical health of legal professionals, but also helps bridge the gap between productivity and work-life balance. The results of this research project provide solid evidence of the need for such action. By reducing billable-hour targets and providing adequate supports, it is possible to reduce stress and improve the overall well-being of legal professionals. This requires a commitment from employers and organizations to adopt more sustainable, people-centered practices, ensuring a healthier future for all legal professionals.

### **RECOMMENDATION 3**

#### **PREVENT VIOLENCE, INCIVILITY AND THEIR CONSEQUENCES IN LEGAL ENVIRONMENTS**

Violence and incivility are worrying problems in legal environments that have significant repercussions on the health of legal professionals. The results from Phase I of this project led by Cadieux et al. (2022) revealed that a significant majority of the acts of violence and incivility that legal professionals are confronted with originate from their peers and the judiciary. These behaviors are particularly worrying, as they can affect both the mental and physical health of legal professionals, as well as their self-confidence. This is particularly true of young lawyers.

Phase II of this project also highlighted violent and uncivil behaviour. Some participants reported that the tone used by both their colleagues and judges has become noticeably harsher in recent years. These acts of verbal and psychological violence can have long-term effects on individuals, notably by increasing stress, anxiety, and the risk of burnout. It is therefore crucial that measures be taken to prevent violence and incivility in Canadian legal environments.

Numerous initiatives have been implemented by various stakeholders in the legal field in Ontario. However, the results obtained in this second phase tend to highlight the importance of continuing efforts in the prevention of violence and incivility. Firstly, it is essential to keep raising awareness to inform professionals about the dangers associated with these behaviors. Specifically, such initiatives aim to highlight the different forms of incivility, including those that are gendered or targeted, so that professionals can recognize and avoid them. A better understanding of incivility helps to prevent it and respond appropriately when it occurs.

It is also crucial to continue developing and regularly updating training programs that promote collegiality and raise awareness among professionals about the risks associated with uncivil or violent behaviors. These training sessions can cover various themes relevant to professional relationships, including conflict management and respectful communication. By learning to manage conflicts constructively, legal professionals can reduce tensions and foster a more harmonious work environment.

Despite the current efforts being made in many workplaces, law firms and judicial institutions must continue to play a proactive role in preventing violence and incivility. They must adopt clear and strict

policies against these behaviors, as well as procedures for reporting and addressing incidents. The implementation of support mechanisms, such as mediation and counseling services, can also help resolve conflicts before they escalate into violence.

Another important aspect of prevention consists in promoting a culture of respect and kindness within legal circles. Industry leaders must set an example by adopting respectful behaviour and encouraging others to do the same. Recognizing positive behaviour and rewarding good practices can also help create a healthier, more respectful working environment.

Preventing violence and incivility in legal environments is a collective responsibility. Every legal professional should consider the consequences of their actions and strive to treat colleagues with respect and dignity. By working together to promote a climate of respect and collaboration, legal professionals can not only improve their own health and wellness, but also strengthen the public's confidence in the justice system. Preventing violence and incivility in legal settings is crucial to protecting the health of legal professionals. This requires creating awareness campaigns, offering training programs, implementing strict policies, and promoting a culture of respect. By taking proactive steps, legal environments can become safer and more respectful environments for everyone.

## 1.7 SUPPORT RESOURCES AVAILABLE FOR LEGAL PROFESSIONALS IN ONTARIO

### EMERGENCY RESOURCES

Eastern Ontario [Helpline](#). Toll-free (bilingual): **1-866-996-0991**  
Bilingual helpline: **613-722-6914**

[Telecare Cambridge Distress Centre](#). Helpline: **519-658-5455**

[Distress Centre Durham](#). Toll-free: **1-800-452-0688** | Helpline: **905-430-2522**

[Telephone Aid Line Kingston](#). Helpline: **613-544-1771**

#### [Distress Centre Niagara](#)

St. Catharines, Niagara Falls and surrounding areas. Helpline: **905-688-3711**  
Port Colborne, Wainfleet and surrounding areas. Helpline: **905-734-1212**  
Fort Erie and surrounding area. Helpline: **905-382-0689**  
Grimsby and West Lincoln. Helpline: **905-563-6674**

#### [Distress Centre Halton](#)

North Halton. Helpline: **905-877-1211**  
Oakville. Helpline: **905-849-4541**  
Burlington (Hamilton). Helpline: **905-681-1488**

[Distress Centre Ottawa & Region](#). Helpline: **613-238-3311**

[Distress Centres of Greater Toronto Area](#). Helpline: **416-408-4357**

#### [Family Counselling and Support Services for Guelph-Wellington](#)

Toll-free: **1-888-821-3760**. Crisis line: **519-821-3760**  
Toll-free: **1-877-822-0140**. Helpline: **519-821-0140**

#### [Tele-Aide Outaouais](#) (Quebec and Ontario)

Toll-free: **1-800-567-9699**  
Helpline (Gatineau): **819-775-3223**  
Helpline (Ottawa): **613-741-6433**

[Distress Centre Windsor](#). Helpline: **519-256-5000**

[York Support Services Network Community Crisis Response Service](#). **1-855-310-COPE (2673)**

## SEE OTHER INFORMATION AND ADVICE RESOURCES FROM THE LAW SOCIETY OF ONTARIO

- The Ontario Bar Association [OBA Wellness Hub](#)
- Law Society of Ontario - [Well-being resource centre](#)
- [Federation of Ontario Law Associations](#)

## PROGRAMS OR WEBSITES ON WELLNESS AND MENTAL HEALTH

- The Member Assistance Program ([MAP](#)) for lawyers and paralegals.  
Phone: **1-855-403-8922**.
- [Young Women in Law](#)
- [Black Employee Assistance Program](#)
- [From Anxiety to Ease for Lawyers and Professionals](#)
- [Wellness Together Canada](#): Mental health and substance use Canada.  
Phone: **1-866-585-0445** | Text (SMS): WELLNESS to **741741**  
Website: [Online peer support for Addiction](#)
- [Canadian Mental Health Association](#)
- [Toronto New Life Wellness Place](#)
- [Ontario Mental Health Therapy](#)
- [The Mental Health Association \(MHA\) of Rochester/Monroe County, Inc.](#)

## SEE OTHER INFORMATION AND ADVICE RESOURCES ON MENTAL HEALTH AND WELLNESS

- [MDCME](#) (Mental Health and Wellness in the Legal Profession – Self Learning Program)
- [University of Western Ontario | Faculty of Law – Health and Wellness](#) (for students)
- [University of Windsor | Faculty of Law – Wellness](#) (for students)

## SEE OTHER INFORMATION AND ADVICE RESOURCES ON MENTAL HEALTH AND WELLNESS (CONT'D)

- [University of Toronto | Faculty of Law - Health & Wellness](#) (for students)
- [University of Ottawa | Faculty of Law - Wellness](#) (for students)
- [York University | Osgoode Hall Law School - Wellness](#) (for students)
- [Toronto Metropolitan University | Lincoln Alexander School of Law - Wellness](#) (for students)

## OTHER RESOURCES

- [Grey Bruce Owen Sound](#). Toll-free: **1-877-470-5200**
- Kingston, Frontenac, Addington. [KFL&A Public Health](#)  
Frontenac County. Toll-free: **1-855-477-2963** or **1-855-558-5151**
- [Lanark Leeds and Grenville Mental Health Crisis Line](#). Toll-free: **1-866-499-8445**
- Northern Ontario. [Talk4Healing](#). Toll-free: **1-855-554-HEAL (4325)**
- [Telecare Distress Centre of Peterborough](#). **705-745-2273**
- [Distress Centres of Greater Toronto Area](#). Survivor support program:  
**416-595-1716**

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