



TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA



Phase II | 2022-2024

CONSOLIDATED REPORT

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



Université de
Sherbrooke

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"Listen, I think it's really good that these studies are happening, but at the end of the day, I hope that the system changes and it's not going to change from the people. It's not about individual changes. It's not about going to therapy, meditating or wellness or whatever, it is a systemic issue [...]. Regulators and the courts and the judiciary system itself needs to change for people to even want to be lawyers or be happy in this profession."

Excerpt from an interview with a legal professional working in the Northwest Territories during Phase II of this project.

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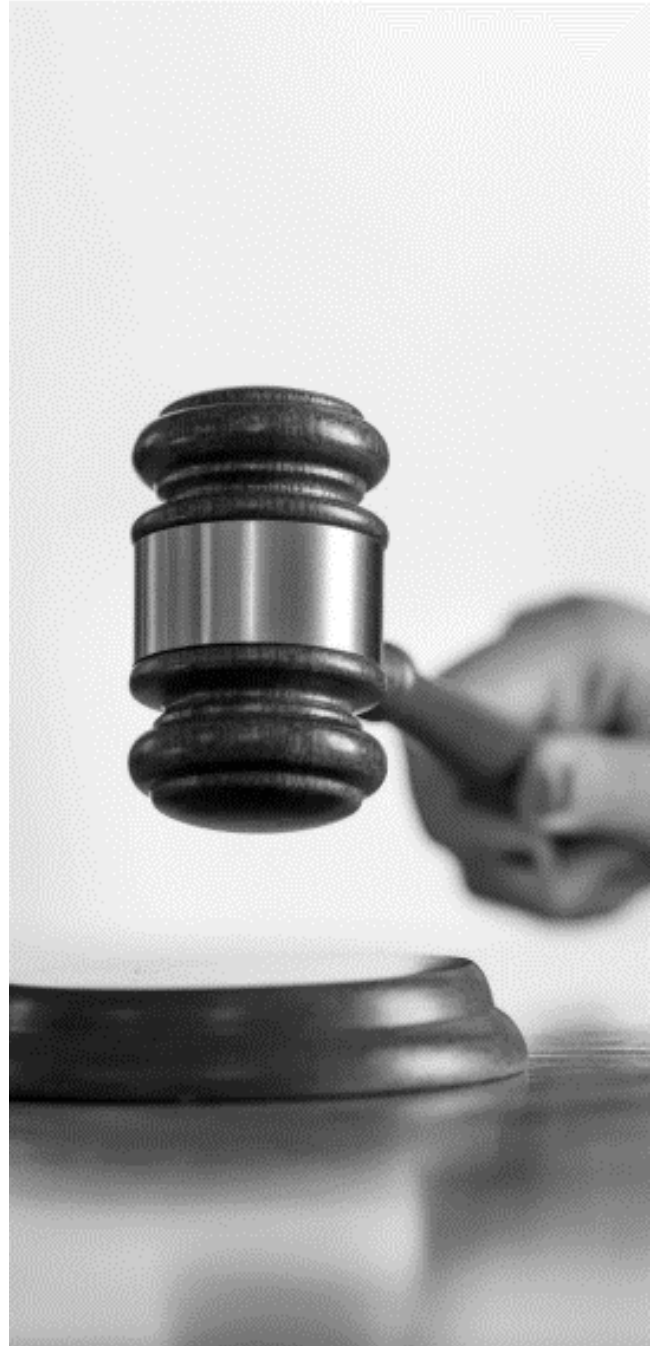


Table of contents

ACKNOWLEDGEMENTS.....	vii
A WORD FROM THE PRINCIPAL INVESTIGATOR	viii
1.0 REVIEW OF THE TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA NATIONAL PROJECT OBJECTIVES	1
1.1 PRESENTATION OF PHASE II REPORTS STRUCTURE	2
1.2 METHODOLOGY	3
REVIEW OF PHASE I DATA	3
Participants.....	3
Content of data from Phase I	4
PHASE II METHODOLOGY	5
Research strategy	5
Recruitment of Phase II participants	5
Participant selection.....	7
Participant description.....	9
Interview process.....	10
Interviews content	11
Data analysis strategy	12
RESEARCH-RELATED ETHICAL CONSIDERATIONS	14
RESEARCH LIMITATIONS.....	14
RESEARCH STRENGTHS.....	15
1.3 PARTICIPANTS' PERCEPTIONS OF MENTAL HEALTH AND THE LEGAL PROFESSION.....	16
A PERSPECTIVE ON PROFESSIONAL CULTURE.....	19
STIGMATIZATION STILL VERY PRESENT	20
LOOKING TO THE FUTURE... ..	21
1.4 PRIORITY THEMES	23
THEME 1 WORK-LIFE BALANCE	26
THEME 2 WORKING CONDITIONS AND COGNITIVE DEMANDS	28
THEME 3 COPING STRATEGIES AND LIFESTYLE	30
1.5 CANADIAN LEGAL PROFESSIONALS' EXPECTATIONS OF THEIR PROFESSION AND WORKPLACES	33
THEME 1 - WORK ORGANIZATION	33
Adapting work requirements	33
Evaluating alternative models to billable hours	34
Promoting teamwork and collaboration	34
THEME 2 - WORK-LIFE BALANCE	35
Implementing policies that promote and support work-life balance	35
Promoting the right to disconnect.....	36
THEME 3 - TRAINING AND PROFESSIONAL DEVELOPMENT	36
Adapting university training	36
Improving mentorship	38
Aligning professional development programs with the needs of legal professionals	38

THEME 4 - WELLNESS	39
Promoting a culture of openness to wellness discussions.....	39
Adopting a systemic wellness approach to the practice of law	39
Preventing workplace violence.....	40
THEME 5 - SUPPORT	41
Offering support for dealing with high emotional demands	41
Improving support from supervisor through regular check-ins	42
1.6 INITIATIVES IMPLEMENTED BY THE VARIOUS LAW SOCIETIES AND THE CHAMBRE DES NOTAIRES DU QUÉBEC	44
SOME EXAMPLES OF INITIATIVES	48
1.7 PHASE II RECOMMENDATIONS	55
RECOMMENDATION A	59
RECOMMENDATION B	60
RECOMMENDATION C	61
THE NEXT STEPS...	64
1.8 GLOSSARY OF TERMS USED IN PHASE II	65
BIBLIOGRAPHY	69

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I would also like to thank our partners and collaborators, whose trust and support have been instrumental to our success. In particular, I would like to thank the Federation of Law Societies of Canada and its dedicated staff, the Canadian Bar Association, the project's Steering Committee, as well as all of Canada's law societies. Your contributions have enriched our work and enabled us to make significant progress. Your willingness to collaborate with us has been a source of inspiration and has shown that there is strength in unity when it comes to a project such as this one.

To all the legal professionals who participated in this project, I am grateful for your commitment and involvement. Many of you mentioned that you wanted to take part in the project to help bring about a change in the legal profession. Your active participation and invaluable feedback have guided our efforts and shaped the results and recommendations of this project. We hope that they will truly address your needs and concerns. You are, after all, at the heart of this project and it is both for you and with you that we have worked so tirelessly.

On a more personal note, I would like to thank the families and friends who supported our team throughout this adventure. Your moral support and constant encouragement have been an invaluable source of motivation for all of us. You've shared our joys and challenges, and your presence has been an exceptional source of comfort. In particular, I want to thank my husband and five children who have encouraged and supported me throughout this journey.

Finally, I would like to express my gratitude to the funding organizations and institutions that believed in and supported our vision, in particular the Federation of Law Societies of Canada and the Canadian Bar Association for funding the first phase of this project and the Social Sciences and Humanities Research Council of Canada (SSHRC) for funding the second phase. Your support has been instrumental in achieving our partnership objectives and has enabled us to bring this ambitious project to fruition in order to address the needs of the Canadian legal community. This project has resonated beyond Canada's borders, inspiring similar initiatives and attracting the attention of international experts. The exchanges and collaborations born of this project have enriched our work and strengthened our impact. These five years have been a real human and professional adventure, marked by enriching encounters and shared achievements. Looking back, I am filled with pride and gratitude for everything we have accomplished together. Thank you all for making this project a reality and a success. Together, we have laid important milestones and created a lasting impact that will continue to resonate for years to come!

A WORD FROM THE PRINCIPAL INVESTIGATOR



As I wrote this report—the culmination of a nationwide study—I found myself daydreaming about the project’s birth in 2019. It came about at the end of a three-day meeting with the Federation of Law Societies of Canada and the leaders of the various law societies and professional orders responsible for overseeing the practice of lawyers, notaries, paralegals and articling students across the country.

At the time, I had been invited to present the results of a study carried out in partnership with the *Barreau du Québec* [Quebec Bar] on the mental health of legal professionals in Quebec, a study that I had begun at the very start of my research career, in 2013–

2014. More than 2,000 Quebec lawyers agreed to take part in this initial study that wrapped up in 2019. While attending the Federation’s annual conference, I exchanged a few words with its leaders about the idea of a nationwide project. The aim was to replicate the project carried out in Quebec, but on a national scale. This idea came to fruition a few months later in the midst of the pandemic, at a time when the mental health of many legal professionals in Canada had never been so challenged. It seemed like an extremely relevant context in which to undertake this kind of project.

I remember the excitement I felt upon signing the contract for this two-phases, nationwide project that would ultimately enable me to realize several of my ambitions: to collect data in every Canadian province and territory; to connect with legal practitioners to better understand their professional challenges; to develop and validate new bilingual measurement scales that better measure psychosocial risks in a rapidly evolving knowledge economy; to work with a multidisciplinary team of experienced and creative researchers; to train several graduate and doctorate research students by actively involving them in all stages of this project; to closely collaborate with a national committee made up of representatives of the Federation, law societies across Canada to align this research with the reality on the ground in order to specifically address the needs of Canadian legal professionals and the workplaces that welcome them. I also saw this as a unique opportunity to enrich my teaching at the Université de Sherbrooke by working to diagnose very real professional problems and in so doing, enrich my own understanding of certain theoretical foundations that I have been teaching since 2013 to the hundreds of students who have passed through my classroom.

My greatest ambition, however, was to have a positive impact on legal professionals across the country by providing decision makers with the evidence they need to initiate a major, systemic cultural shift, not through radical changes, but rather through a series of small steps that could be taken as a result of this incredible project. Based on the recommendations put forth and the evidence gathered during this study, it is clear that these small steps can only be made possible through the mobilization, commitment and concerted efforts of the various players in the Canadian legal community and the implementation of concrete initiatives that will bring about a profound transformation within the legal profession—their profession. This project has laid the foundation for a serious and open discussion about mental health and wellness in the practice of law in Canada. When we embark on our professional journey, we all dream of changing the world, if only a little. While it would be pretentious to claim that this project is world-changing, I’d like to believe that it will contribute to its betterment—one report, one recommendation, one conference and one interview at a time.

With that in mind, as I write these few lines, I am also reminded of the dizziness I felt the day after signing the contract that launched this ambitious five-year project. A dizziness fuelled by the weight of the responsibilities I would shoulder for the next five years and by the project's importance for countless legal professionals who face daily struggles in their chosen profession. A dizziness made all the more intense by the national scope of the work and of my obligations to ensure the dissemination of learnings gleaned from this pan-Canadian partnership program.

Five years later, I can safely say that I have never felt more proud to be Canadian than while leading this project. Thanks to its reach, I was able to discover Canada from coast to coast. I engaged with several communities and was struck by the beauty of their diversity. I marvelled at the many nuances of our vast and beautiful country and the landscapes and languages that enrich it. I have met great human beings, great leaders and great thinkers. I have made friends and had oh-so-much fun. I have cried, touched by the experiences shared by some of the legal professionals we interviewed and by the extent of their inner struggles. I have learned a great deal, including how to manage a team and a project of this scale and bring it to a successful conclusion.

After five intense years, I think I can proudly say: mission accomplished! That being said, this work is only a first step and needs to be continued in the years to come. In hindsight, the dizziness I felt upon embarking on this journey was completely normal, given the magnitude and importance of the project. However, looking back, I also realize how fortunate I have been to count on the trust and involvement of the legal community in carrying out this research. Your commitment, your trust and your words of encouragement helped me keep going through some of this project's most difficult times. For that, from the bottom of my heart, I thank you. I hope to have the opportunity to pursue this research in the future and to take a few more steps—both for you and with you—towards a healthier, more sustainable practice of law in Canada!



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1.0 REVIEW OF THE TOWARDS A HEALTHY AND SUSTAINABLE PRACTICE OF LAW IN CANADA NATIONAL PROJECT OBJECTIVES

The *Towards a Healthy and Sustainable Practice of Law in Canada* project is a partnership between the Université de Sherbrooke, the Federation of Law Societies of Canada and the Canadian Bar Association. The project was carried out in two successive, complementary phases.

Phase I (2020-2022): Funded by the research partners, the project's first stage had one overarching objective—to present an overview of the mental health and wellness of Canadian legal professionals using a quantitative methodology. To that end, three underlying objectives were set:

Objective 1: To provide an overview of health and wellness issues among Canadian legal professionals;

Objective 2: To identify the main risk and protective factors that contribute to the psychological health of Canadian legal professionals;

Objective 3: To develop recommendations specific to the practice of law in Canada to improve the health of professionals, in alignment with the mission of law societies to protect the public.

In this first phase, 7,305 Canadian legal professionals completed a self-administered questionnaire containing over 400 questions covering some 50 risk and protective factors. Following analysis of this data, a report of over 400 pages was produced in both of Canada's official languages (English and French). Divided into 30 chapters, the report covers a range of themes designed to highlight the complexity of the challenges facing legal professionals, while quantifying the extent of the consequences for their mental health: psychological distress, anxiety, depressive symptoms, burnout, suicidal ideation, prolonged sick leave, and so on. Adopting a systematic approach, the report concludes with 10 general recommendations that encompass a further 35 specific recommendations aimed at initiating a cultural shift within the legal profession in Canada.

Phase II (2022-2025): Funded by the Social Sciences and Humanities Research Council of Canada (SSHRC), the project's second phase had three main objectives:

Objective 1: Paint an accurate picture of the main psychological health and wellness issues in the workplace among participating legal professionals working in each Canadian province and territory, based on national data collected during Phase I (Cadieux et al., 2022);

Objective 2: Contextualize the quantitative results obtained in Phase I through interviews with legal professionals working in each Canadian province and territory;

Objective 3: Make targeted recommendations to address important health and wellness issues among participating legal professionals for each Canadian province or the three Canadian territories.

To achieve these three objectives, a mixed methodology combining data collected in Phase I and qualitative data collected in Phase II was chosen. First, the quantitative data obtained in Phase I were analyzed for each of the Canadian law societies. Semi-structured interviews lasting between 60 and 120 minutes were then conducted with lawyers, paralegals, notaries and articling students at each jurisdiction ($n = 78$). The purpose of these interviews was to discuss two or three themes of importance to the participants, from a list of 10 suggested themes related to mental health and professional practice in the province or territories. It was their turn to determine what the priorities should be to change the course of things!

1.1 PRESENTATION OF PHASE II REPORTS STRUCTURE

At the end of eighteen months of data collection across the country, encompassing over a hundred hours of interviews and thousands of pages of reviewed transcripts, Phase II of this study resulted in the production of 13 distinct research reports (including this report).

First, a report was produced for each law society in Canada, with the exception of the three territories, which were the subject of a single report.¹

Each of these reports is structured according to the same template, including:

- Two summary pages presenting key statistics associated with the province or territories in comparison to other regions. The first page presents descriptive statistics while the second page presents health- and wellness-related statistics for the legal professionals who participated in the study;
- An introductory page outlining the research methodology used;
- The presentation of three priority themes per province or territories, which were chosen by the legal professionals working in that province or territories during Phase II recruitment. Each of these themes is the subject of a separate section and is rooted in the quantitative data from Phase I as well as the narrative shared by participating legal professionals interviewed during Phase II;
- The presentation of solutions put forth by participating legal professionals working in the applicable province or territories;
- A presentation of the health and wellness initiatives put forward by the law society of the applicable province or the territories;
- Three contextualized recommendations based on the findings reviewed in the report's previous sections are discussed at the end of each report.

Finally, a consolidated report (this report) was produced after five years of research to serve as an essential step in synthesizing the approach used in this major project and the results from Phase II. The following pages (sections 1.2 to 1.8) of this report are divided into seven parts, including: 1) an explanation of the methodology used in this project; 2) a presentation of the perception of mental health and of the legal profession as expressed by Phase II participants; 3) a description of the priority themes identified by participants across Canada and a summary of the themes most covered in the Phase II reports; 4) a presentation of legal professionals' expectations of their profession and workplaces (solutions proposed by participants); 5) a summary of the health and wellness initiatives put forward by the various law societies and a detailed analysis of how they link to the recommendations issued in Phase I of this project; 6) a presentation of the recommendations issued for each of the provinces and for the three territories in the various reports produced; and 7) a glossary of terms used in the reports.

¹ Please see the research methodology section for a detailed explanation of this decision.

1.2 METHODOLOGY

Phase II reports are based on quantitative data collected as part of Phase I of the *Towards a Sustainable and Healthy Practice of Law in Canada* project (Cadieux et al., 2022), as well as qualitative data drawn from interviews conducted across Canada throughout Phase II of the same project. The following sections provide some methodological details relating to these data. Readers are also invited to refer to pages 14 to 22 of the report by Cadieux et al. (2022) for more details on the quantitative portion of the data.

REVIEW OF PHASE I DATA

Participants

Collected via a self-administered questionnaire between June and September 2021, the data from Phase I of this project cover a sample of 7,305 participants. Of these, 825 completed the questionnaire in French and 6,480 in English.

Graph 1 shows the weighted distribution of the overall Phase I sample according to each provincial or territorial law society. Phase I data include professionals practising as lawyers, notaries, paralegals and articling students.

Graph 1

Distribution of legal professionals who took part in Phase I by Canadian province or territory (weighted) ($n = 6,649$)

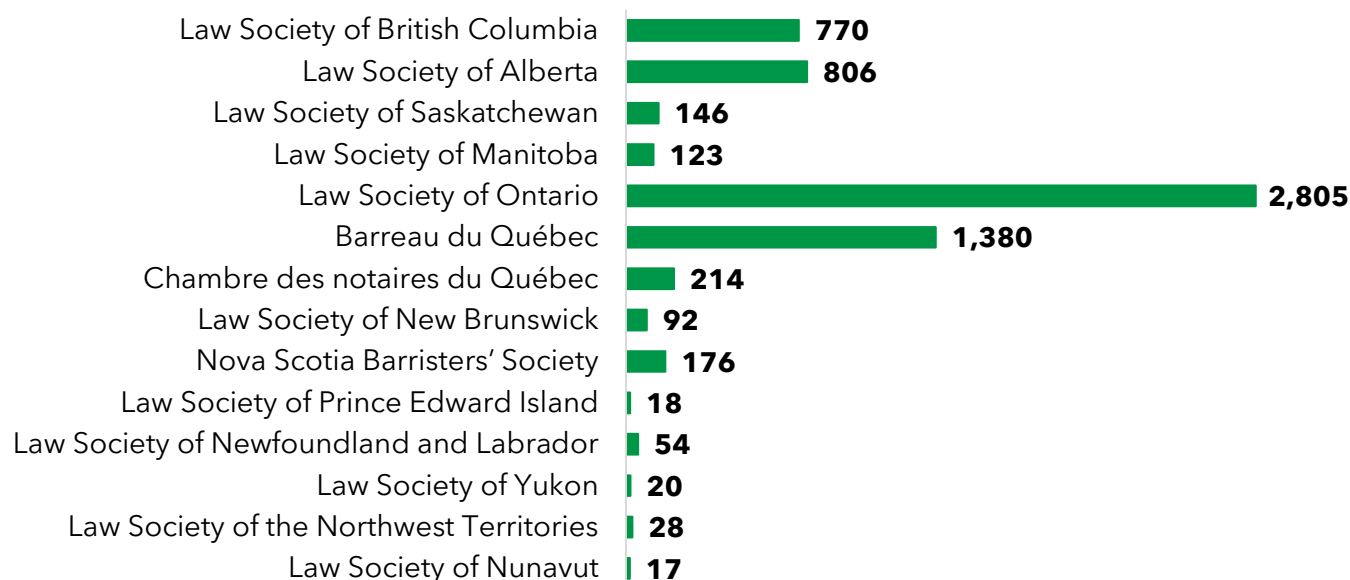


Table 1 below shows the breakdown of the Phase I sample by profession. At the time of the survey, 68.3% of the professionals in the sample were working in the private sector, nearly 25.4% in the public sector or a non-profit organization (NFPO), 5.7% in the corporate or for-profit sector and 0.6% in the education sector. Finally, the final Phase I sample comprised 44.6% women, 55.4% men, 0.7% non-binary persons and 1.3% legal professionals who preferred not to answer gender-related questions.

Table 1

Distribution of legal professionals who took part in Phase I by profession (weighted) ($n = 7,174$)

Profession	Number of participants
Lawyer (weighted)	6,365
Notary (weighted)	217
Ontario Paralegal (weighted)	261
Articling student (non-weighted)	264
Other (non-weighted)	67

Content of data from Phase I

The data collected in Phase I comprise over fifty variables designed to measure both the health and well-being of legal professionals and the determinants of health. Consisting of 403 questions, the health determinants measured were in line with the multidimensional approach to health adopted in this project. Thus, the questionnaire was made up of seven distinct parts, presented in Table 2.

Table 2

List of variables measured in Phase I (Cadieux et al., 2022)

Part	Variables
1. Sociodemographic considerations	Profession; Employment status; Work setting; Planning the return to the practice of law; NCA certification; Years since call to the bar; Law Society affiliation; Area of practice; CBA membership; Age; Gender; Indigenous, LGBTQ2S+; Ethnicity; Disability; Sick leave.
2. Mental health indicators:	Psychological distress; Perceived stress; Depression; Anxiety; Burnout; Compassion fatigue.
3. Organizational factors and contexts	Stressors related to the regulated profession; Stressors related to professional inspection; Technologies used; Technostress; Psychological and emotional demands; Decision-making authority (autonomy); Skill utilization; Resource availability; Consistency of values; Performance-related pressure; Billable hour pressure; Recognition; Job insecurity; Career opportunities; Intention to leave the profession; Commitment to the profession; Having clients; Support from colleagues and superior; Incivility and violence; Agility; Organizational support during COVID-19; Telework adjustment.
4. Family and life outside of work	Marital status; Having children; Work-life conflict; Fear of starting a family; Social support outside work.

Part	Variables
5. Individual characteristics	Assertiveness (ability to set limits); Psychological detachment; Resilience; Alcohol use; Drug use.
6. Prolonged absence due to illness	Difficult relationships with employer and colleagues; Apprehension of relapse; Cognitive problems; Problems with medication; Workstation demands; Sense of organizational injustice; Work-life conflict; Loss of motivation to return to work.
7. Perceived discrimination based on different individual characteristics	Belonging to the LGBTQ2S+ community; Being a woman; Identifying with an ethnic group other than White; Being Indigenous; Living with a disability; Age; Being or having ever been on extended leave for a mental health issue.

The questionnaire was prepared in both official languages, i.e., English and French. Both versions (English and French) use the same scales, which have been validated in both languages. The scales that were adapted, translated or created for this study have been subject to a validation process in both languages. This validation process was carried out to improve the understanding and psychometric qualities of the final tool. The process applied was aligned with best practice in order to confirm the psychometric qualities of the scales selected (Boateng et al., 2018).

PHASE II METHODOLOGY

Research strategy

The research strategy used for Phase II is based on a mixed-method approach, including 1) the use of quantitative data collected in each province and territory; 2) the use of qualitative data collected via semi-structured interviews; and 3) the cross-referencing of quantitative and qualitative data in order to contextualize certain priority issues experienced by Canadian legal professionals.

Recruitment of Phase II participants

The recruitment of Phase II participants was made possible by the collaboration of all Canadian law societies, with the Chambre des notaires du Québec and the Federation of Law Societies of Canada coordinating the data collection periods in conjunction with the law societies and the research team.

According to an established schedule, participants were recruited within each law society, through an invitation that was sent out, along with a link to a form to be completed by legal professionals wishing to volunteer for an interview. The data collected via this form was only available to members of the research team. The form included a list of 10 themes related to mental health in the profession, to be ranked in order of priority (from most to least important to the participant). This was done in order to identify the priorities of legal professionals working in each of Canada's provinces and territories.

The resulting list that was developed at the end of the first phase of this project (Cadieux et al., 2022) included the following themes:

- 1) Billable hours
- 2) Coping strategies and lifestyle
- 3) Diversity and inclusion in the practice of law in Canada
- 4) Law practice and technology (technostress)
- 5) Regulation and practice review
- 6) Return to work after a prolonged medical leave/absence
- 7) Telework
- 8) Training and mentorship
- 9) Work-life balance
- 10) Working conditions and cognitive demands

A detailed presentation of national priorities is given in section 1.4 of this report.

In addition to identifying and ranking these priorities, legal professionals who wished to volunteer to be interviewed were asked to provide certain information used for descriptive purposes and participant selection, namely: the primary law society of which they are a member; whether or not they wished to be contacted by a team member for an interview; an e-mail address at which they could be contacted to schedule an interview; and the language in which they wished to conduct the interview. Once the questionnaire was completed, respondents were thanked at the end of the form and informed that only those selected for an interview would be contacted by a member of the research team.

Table 3 shows the date on which recruitment began for each law society. Overall, participant recruitment extended from May 2022 to November 2023, a period of 18 months.

Table 3
Recruitment start date for each law society

Law Society	Invitation date
Law Society of Yukon	May 19, 2022
Law Society of the Northwest Territories	May 23, 2022
Law Society of British Columbia	May 23, 2022
Law Society of Alberta	May 23, 2022
Law Society of Nunavut	May 26, 2022
Law Society of Saskatchewan	June 9, 2022
Law Society of Manitoba	August 10, 2022
Law Society of Ontario	March 8, 2023
Law Society of Newfoundland and Labrador	April 25, 2023
Nova Scotia Barristers' Society	April 28, 2023
Law Society of New Brunswick	June 5, 2023
Law Society of Prince Edward Island	September 20, 2023
Chambre des notaires du Québec	October 23, 2023
Barreau du Québec	November 16, 2023

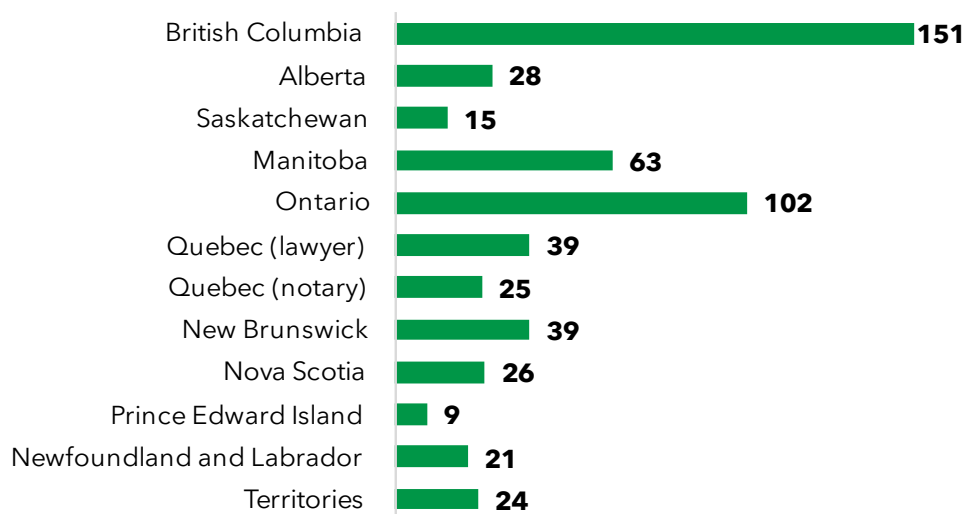
After eliminating duplicates (same person appearing more than once), as well as respondents who did not prioritize themes, which was intended to identify the content of the discussion at the time of the interview ($n = 11$), the total number of interview volunteers was $n = 542$ professionals.

Of these, 481 were lawyers, 25 were notaries, 12 were Ontario paralegals and 24 were articling students at the time of recruitment.

Graph 2 details the number of legal professionals who volunteered to be interviewed, by province and in the three territories. It is also worth mentioning that, in addition to these volunteers, 46 legal professionals wished to complete the recruitment form in order to prioritize the themes, but did not wish to take part in an interview.

Graph 2

Number of legal professionals volunteering for a Phase II interview by province or territory ($n = 542$)



Participant selection

The selection of participants was based on purposive sampling (Pourtois & Desmet, 2007), i.e., participants were chosen by the research team in consideration of various factors such as: the date of registration of the respondent expressing interest in an interview; the alignment between the themes chosen by the respondent; and those established in the province or territories by all professionals having volunteered for an interview; and the representation of specific professional subgroups (e.g., paralegals in Ontario, articling students). This sampling technique is often used in qualitative studies for the flexibility it provides, enabling knowledge to be generated from a variety of experiences related to the research topic, while reducing the resources needed to achieve results. The data collected on the participant recruitment form helped facilitate this process.

Considering the methodology adopted in this second phase of the project and the objectives pursued, a minimum of 5 participants had to be selected from among the volunteers for each law society as well as for the *Chambre des notaires du Québec*.

For law societies in the territories, given that the Phase II data were analyzed in a single report covering all three territories,² 10 participants were selected. It should also be noted that 10 participants were selected in the province of Ontario.³ Finally, over and above the minimum number of interviews required in each jurisdiction, more than 5 interviews were carried out in some provinces, as shown in Figure 1 (which sets out the number of legal professionals who participated in an interview according to their primary place of practice). This is because, despite their initial interest, some respondents did not respond to our invitation or were no longer available when we scheduled their interview. Consequently, in these situations, more invitations were issued to volunteers in the province. The delay between new invitations and the scheduling of an interview led to the minimum threshold being exceeded in some provinces.

Figure 1

Number of participants who took part in a semi-structured interview in Phase II,
by primary place of practice ($n = 78$)



² This decision was made in concert with the research partners in consideration of the smaller number of legal professionals working in the three territories, which means that despite excellent participation in Phase I of this project, there were fewer of them in the Phase I database (Yukon = 20; Northwest Territories = 28; Nunavut = 17). Consequently, analyzing the data for each territory separately would have severely limited the analyses that could be carried out in Phase II, due to methodological considerations regarding the minimum sample size required. Therefore, in order to go into greater depth, it was decided to merge the data from these three territories and conduct 10 interviews with legal professionals working in one or other of the territories.

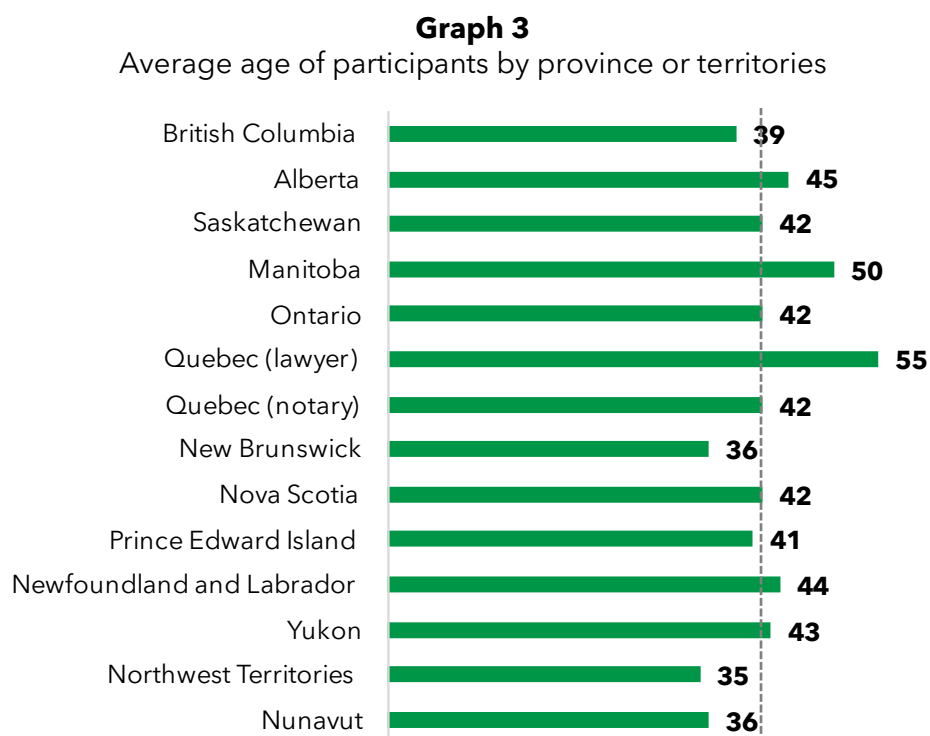
³ This decision was based on three factors. The first is that the Law Society of Ontario is the largest in Canada in terms of membership, representing nearly a third of all Canadian lawyers. The second is related to the fact that, in addition to lawyers and articling students, the Law Society of Ontario also includes a professional category specific to this province, namely Ontario paralegals, who participated in Phase I of this research project. Finally, following the start of recruitment, several Franco-Ontarian professionals expressed interest in participating in an interview. Our team therefore decided to select 10 participants to represent the diversity observed in Ontario.

Participant description

The final sample of participants for the qualitative data collection in Phase II consists of 78 legal professionals, including:

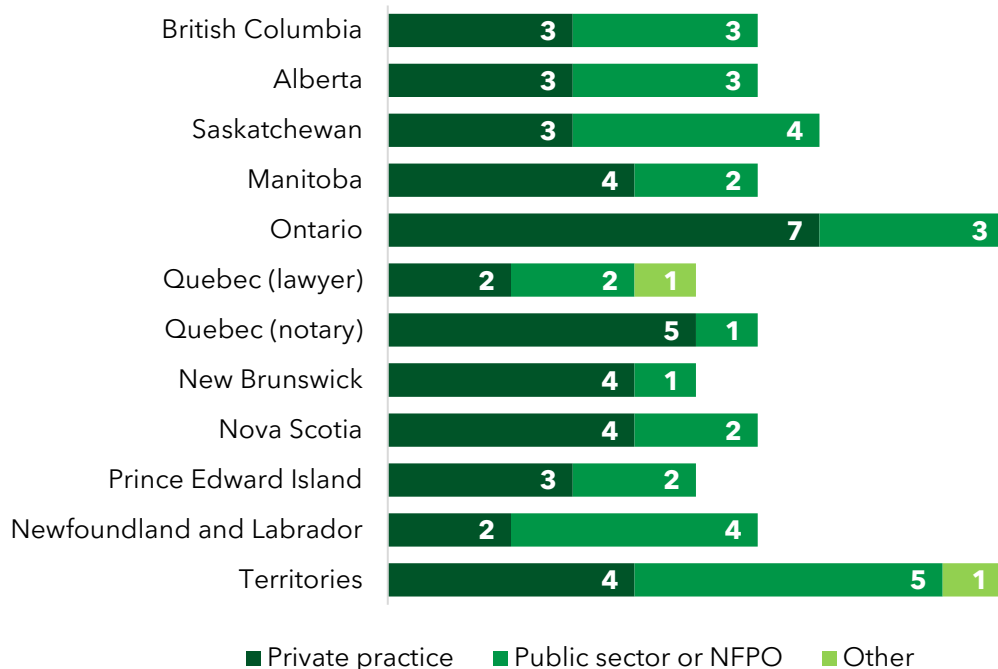
- Nearly one in two participants, or 48.7% (38/78), had also taken part in Phase I of the project;
- 54 participants were women and 23 were men, while one participant identified themselves as non-binary;
- The average number of years of experience for all Phase II participants is 15 years;
- 63 participating professionals were lawyers, 6 were notaries in Quebec, 1 was a paralegal in Ontario and 8 were articling students at the time of their interview.

Graph 3 shows the average age of participants by province or territories. Overall, the average age was 42.



Finally, the following Graph 4 shows the distribution of participants in each province and in the three territories according to their work setting, i.e., the setting in which they primarily practice. For all jurisdiction, both the private and public sectors are represented, while two participants in Quebec (a member of the Quebec Bar and a member of one of the Territories Bar) mentioned working in an “other” sector.

Graph 4
Distribution of participants by province and in the three territories
by principal work setting



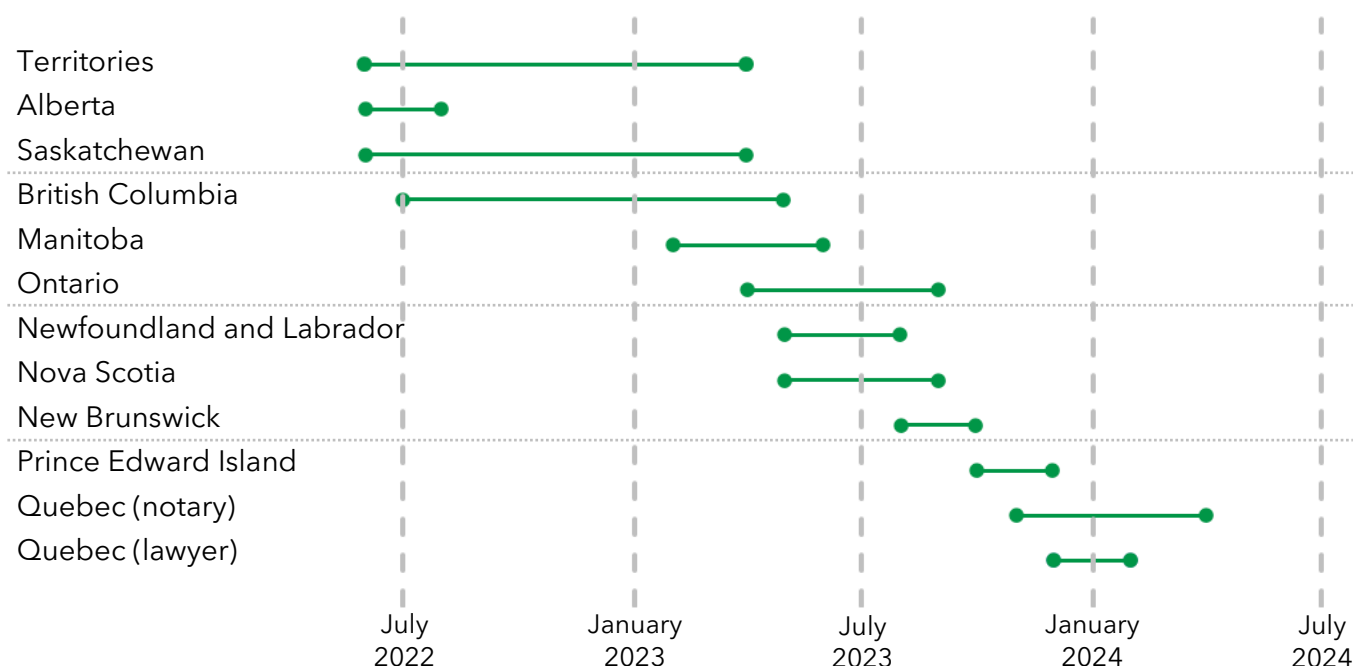
Interview process

Selected participants were contacted by the research team to schedule an interview. Prior to each interview, participants were asked to sign a consent form, in accordance with the ethical protocol established for this research. The signed consent, recorded in the participant's file, was then used to conduct a semi-structured interview with a member of the research team. Conducted via the *Microsoft Teams* platform, each interview was recorded for transcription and analysis. Once the interviews were completed, the video image and the audio content of the interview were separated to retain only the audio content. The video image associated with the interview was then destroyed in accordance with the research protocol.

Once the transcripts were completed and reviewed by the research team, the audio content of the interview was destroyed by a member of the research team. In line with established ethical protocol, a participant could withdraw consent at any time during or after an interview and could request that his or her data be destroyed. Two participants made such a request after their interview was completed and the data associated with these interviews was immediately destroyed.

The following Graph 5 shows the period during which interviews were conducted in the three territories, as well as in the various provinces. Interviews began on June 2, 2022, in the Canadian territories and ended on March 5, 2024, with Quebec notaries.

Graph 5
Interview period by province or territory



Interviews content

At the beginning and end of each interview, more general topics established by the research team were recurrently discussed with each participant. In addition to these topics related to mental health in the profession, two or three themes of greatest importance to participants within the province or territories were then selected for in-depth discussion with participants.

Table 4 shows the typical content of the interviews conducted.

Table 4
Sample content of a semi-structured interview conducted as part of Phase II

SUBJECT	EXAMPLES OF QUESTIONS ASKED
<i>Interviewer welcomes the participant and explains the interview process</i>	
<i>Interview start</i>	"When you received our invitation to participate in this study, what was the first idea that came to your mind? What was your first impression?" "Tell me about your motivation for participating in this study."

SUBJECT	EXAMPLES OF QUESTIONS ASKED
Health of professionals within the profession	"What are your perceptions and impressions about the wellness of people in your profession?" "Describe the sources of stress or difficulty you have encountered in your practice of law."
Theme 1	Open-ended questions specific to the priority themes identified by the participating legal professionals.
Theme 2	
Topic 3 (optional, depending on theme and length of interview)	
Professional culture	"Provide examples of tangible elements (such as objects or people) and/or intangible elements (such as symbols or traditions) that reflect the culture of your profession in your opinion."
Interview conclusion	"Is there anything we haven't covered in this interview or anything you'd like to add before we wrap up?"
Interviewer thanks the participant and explains the project's next steps	

Data analysis strategy

Considering that Phase II uses a mixed method including quantitative data collected in Phase I and qualitative data collected in Phase II, both data sets were analyzed simultaneously to produce the 12 Phase II research reports. The analysis strategy for each of these data categories is described below.

Quantitative data

Prior to quantitative data analysis, the final Phase I database of 7,305 legal professionals in Canada was segmented into 12 separate databases, one for each province, with the exception of Quebec, where two separate databases were created, one for Quebec notaries and one for Quebec lawyers. Data from all three territories were entered into a single database, enabling a unified report to be produced (see explanation in footnote 1 to the Phase II participant selection section).

Once the databases were ready, the data relating to the sample description for each law society and for the *Chambre des notaires du Québec*, as well as the data for each priority theme were analyzed. The data were weighted for certain law societies, including British Columbia, Alberta, Ontario and the Barreau du Québec. The decision not to do so for the other law societies was made in consideration of the effect of weighting on sample size to ensure a sufficient sample of legal professionals for robust statistical analysis. Thus, depending on the analyses carried out, and due to weighting or lack thereof, the sample size (represented by the "*n*" symbol) may vary.

Several types of analysis, described below, have been carried out, depending on needs and contexts. It is important to note that for all analyses, the significance level is set at $p \leq 0.05$. Thus, for all statistical analyses carried out above this threshold, the null hypothesis was retained, meaning that we concluded that there was no significant difference between two or more variables. The quantitative results presented are based on data collected at a single point in time (cross-sectional estimate). Consequently, since both causes (e.g., high psychological demands) and effects (e.g., psychological

distress) were measured at the same time, it is impossible to establish causality between the variables under study. Where directionality is sometimes assumed, findings are derived from the results, combined with the state of current knowledge.

Descriptive analyses. The descriptive analyses provide a general portrait of the sample of participants in the jurisdiction in which they primarily practiced at the time of Phase I and describe the answers to certain questions included in the survey. For example, descriptive bivariate analyses can be used to highlight different demographic profiles according to different mental health indicators, or to compare respondents' responses according to different characteristics (e.g., the presence of work-life conflict according to having or not having children).

Comparative testing. The use of comparison of means (t-test) or comparison of proportions (chi-square) tests can be used to check whether the difference in means or proportions between two groups is significant (e.g., gender, age group, sector of activity). For analyses involving three or more groups (e.g., self-employed vs. salaried), an analysis of variance (ANOVA) test was used.

Hierarchical multiple regressions. Hierarchical multiple regression analyses were used to explore relationships between a dependent variable (the variable we are trying to explain) – in the context of this report, these variables are often mental health indicators (e.g., psychological distress, burnout) – and several independent variables (variables associated with the dependent variable) entered sequentially (in blocks). Entering the variables sequentially makes it possible to separate out the effect of each variable grouping.

Qualitative data

For the qualitative part of the data, we adopted a hybrid method combining elements of thematic analysis and narrative analysis, in order to benefit from the strengths of each of these approaches (Robinson, 2022). Thematic analysis enabled us to identify and structure recurring themes across interview verbatims, systematically coding relevant segments for each theme (Miles et al., 2014). At the same time, we integrated elements of narrative analysis by selecting particularly evocative segments, thus respecting the continuity and context of the participants' individual narratives (Bamberg, 2012). This hybrid approach allowed us to capture both the richness of emerging themes and the nuances of participants' personal experiences, offering a deeper, contextual understanding of the qualitative data (Robinson, 2022; Swain, 2018). By adopting this hybrid method, the results presented aim to offer a holistic (Fereday & Muir-Cochrane, 2006) and nuanced view of health and wellness in the legal profession, capturing both common patterns and specificities in individual narratives (Bamberg, 2012).

This method was replicated for each of the jurisdiction, with the exception of the three territories, where the analysis was carried out in a combined fashion since a single report was being produced. In parallel with the qualitative analysis, our team also iteratively returned to the qualitative data in the province or territories, in order to match the rich descriptions of experience provided by the participants with the quantitative data available.

In the end, each of the themes analyzed in the reports produced in Phase II is consisting of quantitative and qualitative results, making it possible to quantify some of the issues observed, while at the same time describing, through the accounts of the participants, the nuances that escape the figures presented.

RESEARCH-RELATED ETHICAL CONSIDERATIONS

This project was carried out with the prior approval of the Research Ethics Committee (REC) of the Université de Sherbrooke, through the granting of an ethics certificate (approval no.: 2013/79/Cadieux). The data collection tools (quantitative and qualitative) were also approved by the same committee before the start of each data collection stage carried out as part of this study. All other documents related to this research (e.g., participant recruitment e-mail, information and consent form, etc.) were also submitted to this committee for approval.

Several measures have been taken to ensure that ethical considerations are respected throughout the project. To this end, all members of the research team, regardless of their status, signed a confidentiality agreement to access the data from the project. Each participant signed a free and informed consent form or consented electronically (for Phase I, as the questionnaire was online) to participate on a voluntary basis. The form explained the objectives of the study and its implications for participants. All computer files and databases are stored on a secure server. Not all information identifying participants or a participant's organization was transcribed in the Phase II verbatims. The interview excerpts selected throughout this project have been decontextualized to ensure the anonymity of the participants, where appropriate.

Finally, it is important to mention that, despite the help and support of the partners and of the law societies in recruiting participants, at no time did they have access to the list of participants or to the raw data collected.

RESEARCH LIMITATIONS

Like all research, this one has certain limitations. Below is a description of the most important ones.

The first limitation is that the quantitative results presented derive from data collected at a single point in time (cross-sectional estimate) between June and September 2021. Consequently, given that causes (e.g., high psychological demands, billable-hour targets) and effects (e.g., psychological distress, depressive symptoms) are measured at the same time, it is impossible to establish causality between the variables under study. Where directionality is sometimes assumed, the findings are derived from the results, combined with the state of current knowledge.

The second limitation is that Phase I data were collected immediately after the lifting of restrictions following the third wave of COVID-19 in Canada. Although the deployment of data collection in each province and territory was planned to minimize the effects of the health crisis (by deploying according to a schedule in which there was no general lockdown and during a period in which health restrictions were minimal), the effects of the pandemic situation and the fatigue associated with it may have coloured the responses of participants at the time of the Phase I data collection.

The third limitation concerns the subjectivity of the qualitative data associated with the Phase II interviews. These qualitative data are based entirely on the perceptions of individuals who voluntarily participated in the Phase II interviews. Consequently, they reflect their subjective experiences as individuals and cannot be generalized to the entire population of legal professionals in Canada. In this way, qualitative results can best be transferred to comparable contexts (e.g., the experience shared by a professional working in the private sector in one province could be relevant to understand the situation of a professional working in the private sector in another Canadian province).

The fourth limitation concerns social desirability. Considering the importance of this research project for the Canadian legal community, and the visibility of the results from Phase I of this project at the

end of that Phase, it is possible that the interview responses of participants in Phase II may have been tainted by a social desirability bias. In order to minimize this bias, however, the questions related to the interview guide were not shared with the participants in advance, so as to elicit their responses spontaneously during the interview.

The results presented in the Phase II research reports must therefore be interpreted within these limits.

RESEARCH STRENGTHS

Despite the limitations of this research, it is important to stress that it was carried out within a rigorous methodological framework.

Firstly, the measurement scales used in Phase I are the result of several rounds of research with legal professionals between 2016 and 2021. They have been validated in both official languages, following the best practices dictated by the literature. All the scales have excellent psychometric qualities, confirming their validity and reliability.

Secondly, the semi-structured interview framework used to conduct the interviews in Phase II was developed in conjunction with the research team that worked on the data from Phase I of this project. This is to ensure that the content of the open-ended questions included is in line with the findings of the first phase of this project.

Thirdly, all team members who conducted the semi-structured interviews with Phase II participants were duly trained prior to the interviews being carried out.

Fourthly, the triangulation of quantitative data from Phase I and qualitative data from Phase II is an important strength of this project's methodological approach (Olsen, 2004). A total of 7,305 participants completed the questionnaire in Phase I and 78 interviews were conducted in Phase II, almost half of which involved Phase I participants. The use of both quantitative and qualitative data in Phase II to study mental health and well-being among Canadian legal professionals strengthens the validity of the results presented in the reports. Triangulation makes it possible to verify results by comparing quantitative data with participants' narratives, thus reinforcing the credibility of conclusions.

1.3 PARTICIPANTS' PERCEPTIONS OF MENTAL HEALTH AND THE LEGAL PROFESSION

The results obtained in Phase I are unequivocal: health and wellness issues in the legal profession are cause for concern (Cadieux et al., 2022). Among the myriad of topics that dominate legal discourse today, perhaps none is as important as the health and well-being of legal practitioners. In the following excerpt, one participant reflects on the inevitability of this paradigm shift, envisioning a future in which health and wellness advocacy will fit seamlessly into the fabric of legal professionalism, thus becoming a normalized priority.

“[...] it's great that we're having these conversations now. And I think the newer generations of lawyers is going to talk about right from when they're in Law School. And it's just going to be a thing like, ok, we've got to prioritize health care and all of this. It's going to be a normalized concept in the profession one day, I hope.” **ON-3**

During interviews in Phase II of this project, participants were invited to share their perceptions of wellness in the practice of law. Box 1 highlights some of the perceptions that participating legal professionals across the country shared in this regard.

Box 1

Participants' perceptions of the mental health and well-being of legal practitioners

- “We don't talk about it, but I think since I started to talk about it a little bit, I recognize that more and more of my colleagues are in counselling or [have] been **struggling**.” (YK-1)
- “I think generally that from what I've experienced, a lot of lawyers are overworked and **overstressed** [...]” (YK-2)
- “People are leaving their profession or they are **suffering** in the profession.” (YK-3)
- “I think there's a lot of **mental health issues**, either with **stress** or **anxiety**.” (YK-5)
- “I would say that there are a lot of people who are very **stressed** out by work, that are quite **burnt out** [...], in some kind of state of **emotional distress**.” (NT-1)
- “**No one I know is happy** to do what they're doing. We always talk about wanting to leave the profession. I can name a couple of people who are like, happy with what they're doing and even they are feeling really **burnt out**. So, I think in terms of wellness, I think everyone is **burnt out**.” (NT-2)
- “Lawyers in Nunavut generally last two or three years and then they leave because of **burnout**. That's what happens in Nunavut. [...] Very high turnover and quite often **stress** related turnover.” (NU-1)
- “I mean, I guess that it's like people aren't that well, to be honest. [...] So, it's like either you're working so much that you're stressed and you're self-medicating, or you are struggling with mental health issues [...]” (BC-3)
- “You know, everyone else is in a constant struggle. Work is too demanding; law societies [are] too demanding; clients are too demanding.” (AB-2)
- “I don't think we're doing very well, or frankly, I think that there are many **issues in mental health** that are not addressed or have been largely ignored or seen as part of the practice for a very long time, issues such as **addiction** [...]” (AB-5)

Box 1 (cont'd)

- "They're not that well. I mean, that's a broad generalization, but there are just a lot of **unhappy** people." (SK-1)
- "In private practice, it's very much, and I mean, even in public practice too, it's very much everybody **struggling** but won't admit it." (SK-2)
- "Obviously, I don't know many lawyers that actually have good mental health, almost if any, to be frank. There's a few that do. I think most people are often sort of overworked." (SK-5)
- "I think that there is a lot of work to be done on **mental health issues** in my profession." (MB-1)
- "My perception is that people are overworked and **burnt out**." (MB-2)
- "I really think that they are **burnt out**. We had an article just published in our news yesterday [...] and the whole tenor of the argument was that [lawyers] were overworked and **burnt out**. I think, you know, whether people are prepared to admit it or not, I think it's a **constant stress**. There are **stresses** coming at you from every angle, from the clients, from other lawyers, from our law society, more demands from the court system in terms of how they've changed these proposals. So, I think most people are **stressed** and **burnt out** if they're going to be honest." (MB-4)
- "I think, well, mental health is as important as physical health and lots of people have **issues with their mental health**." (ON-1)
- "I would say it's **alarming**." (ON-3)
- "Well, I know a lot of my peers or colleagues **suffer** behind closed doors." (ON-4)
- "**It is not good**. [...] everybody feels **overstressed** [...]. So, my sense of it is anyways, most people are **struggling** and that would have been before COVID-19 hit. And I think things have gotten noticeably **worse**." (ON-5)
- "I think that the level of wellness is incredibly **low** for the profession." (ON-9)
- "Je pense qu'il y a beaucoup de **mal-être**, je dirais. Je constate beaucoup de sentiment de **détresse** quand même chez mes collègues. » (QC-4)"
- "[...] je crois qu'il y a un **épuisement** qui est peut-être plus là depuis les dernières années. Une espèce de... je pense qu'il y a plus de **dépressions**. Je crois que dans la profession il y a des problèmes de **toxicomanie**, **d'alcool**, de **dépendance**. J'ai comme l'impression que ça s'est accru." (QC-5)
- "We work too hard; our mental health is **bad**." (NB-2)
- "I think the general state of just mental health is **not great**, overall. I know [that] in my experience; I've talked with numerous colleagues who have experienced or are currently experiencing **various mental health issues**. And a lot of the time, maybe it's not caused by the profession, but it's just the demands of the profession and private practice and the billable hours, just sort of compound and just contribute to a sense of or a **lack of well-being**." (NB-4)
- "Generally speaking, I think it's not ... it's pretty **terrible**, actually. [...] And **addictions issues** are pretty prevalent in the profession. And they were prevalent even beginning in law school. There were quite a lot of **addiction issues** among law students, and that's carrying into the profession." (NS-1)
- "I know anecdotally that, **stress** and **substance abuse**, in particular **alcohol abuse**, are prevalent, if not rampant amongst some legal professionals." (NS-3)
- "**Mental health issues** are predominating in our profession." (NS-3)
- "I feel like it's the mental health of legal professionals is just notoriously **bad**." (NS-4)

Box 1 (cont'd)

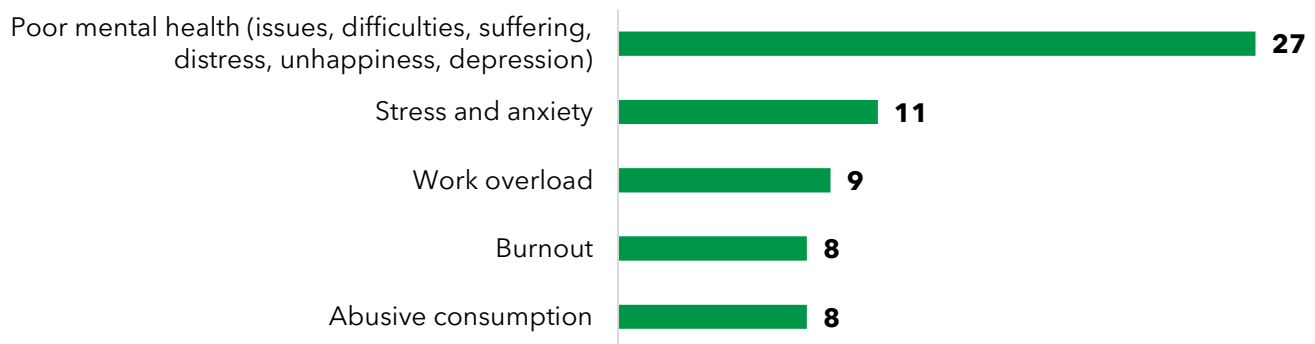
- "My perception of the wellness of people in my profession is that we're **not very well**, that we **struggle** a lot with **mental health issues** [...], I'd say. And I think they kind of go hand in hand. And so, yeah, you hear stories of people suffering from **burnout**, having to take leaves of absence or **stress leaves**. And you hear about a lot of people dropping out of the profession or like within like five years of the practice, of starting the practice." (NS-5)
- "I would say, you know, I feel there's probably a lot of **drinking**. Um. A lot of **burnout**." (NS-6)
- "Just in the sense that people are really **struggling**. I've seen a number of lawyers either, you know, struggling with maintaining their **stress** levels, dealing potentially with **addictions** or **depression** kinds of **issues**. It seems to me that there's more of that going around in our profession than I see in the general public." (PEI-2)
- "I certainly think that they are overworked and **stressed**. I think **stress** and **mental illness** and **addictions**; they're all pretty rampant." (PEI-3)
- "Very **poor** and it's not good." (NL-2)

Many participants spoke of the mental health and wellness issues that affect many of the legal practitioners around them. Specific key observations emerge from the above excerpts: many legal practitioners are extremely stressed ($n = 11$), professionally exhausted ($n = 8$) and struggling with their mental health ($n = 27$). In addition, many of them reported challenges with alcohol use, drug use and/or gambling ($n = 8$). The results of Phase I confirm some of these findings, with 55.9% of legal practitioners experiencing burnout and 21.7% of practitioners qualifying as high-risk users (AUDIT-10 score ≥ 8 ; Babor et al., 2001) (Cadieux et al., 2022).

Graph 6 summarizes the occurrence of themes related to participants' perceptions of the mental health of legal practitioners.

Graph 6

Occurrence of excerpts including themes related to participants' perceptions of the mental health of legal practitioners



Another observation that often emerges from the above interview excerpts is that legal professionals are overloaded with work ($n = 9$; YK-2, AB-2, SK-5, MB-2, MB-4, ON-5, ON-9, NB-2, NB-4). This overload seems to be linked to longer working hours and, according to some participants, makes it difficult to reconcile work and personal life. In fact, work-life balance was the top priority theme chosen by participants in their interviews, as detailed in section 1.4 of this report.

In addition, a few participants ($n = 4$; YK-3, NT-2, NU-1, NS-5) mentioned that many legal practitioners are talking about leaving the profession, or that many are leaving it, in the early years of their practice, particularly in connection with mental health issues experienced at work. In this regard, more than half of participating legal professionals in Phase I (54.2%) were thinking of leaving the legal profession, a proportion that rises to 59.1% for those with less than 10 years' of practice experience (Cadieux et al., 2022).

Participant NS-1 also mentioned that alcohol and drug consumption issues are prevalent in the legal profession, but also explains that these issues are just as present at the start of academic training. As such, it is difficult to address substance use among legal professionals when it is embedded in professional culture at its very roots, i.e., law school.

Finally, two participants reiterated that the legal profession does not appear to be conducive to healthy mental health, evidencing their cynicism towards the profession.

”

“I think that the legal profession **is not one that's conducive** to mental health.” **NU-2**

“And I feel like the practice of law **is not conducive** always to having good mental health.” **ON-1**

A PERSPECTIVE ON PROFESSIONAL CULTURE

During the research interviews conducted in Phase II of this project, a number of participants expressed their thoughts regarding the professional culture in the legal field, a culture that does not, in their view, seem compatible with protecting mental health and wellness in the profession.

Firstly, it seems to be highly valued within the legal profession to work long hours and have a heavy workload. Also, logging a lot of billable hours and bringing in a lot of money to the firm is glorified. This reflects a pattern of devotion to the profession, where work takes a more important place in the lives of legal practitioners than in most other professions. As a result, taking time for oneself and prioritizing a balance between work and personal life do not align with this pattern of devotion and are therefore not valued. For some, prioritizing anything other than work is synonymous with low commitment and laziness. The following participants bear witness to this.

“C'est juste que c'est valorisé de faire beaucoup d'heures de travail, de facturer beaucoup d'heures facturables, donc c'est vraiment l'argent qui est valorisé. Donc, à ce moment-là, n'importe quand, un temps de repos, ce n'est pas un moment où tu fais de l'argent.” **ON-6**

“[...] it's also hard because it's kind of an attitude of, like, if you're concerned about work life balance or you're concerned about having time for other things, then that means that you're not committed enough to the law. And you don't care about your work, or you're lazy, and things like that [...]” **BC-5**

”

In addition, the consumption of alcohol and other substances is normalized at corporate events. The next participant reiterates the glorification of overwork and money being brought into the firm, while also explaining the valorization of consumption.

“But I notice that overwork is like glamorized. [...]. Either [legal professionals] are working too much, but that’s like glamorized and they’re making money, so it’s cool, but like it’s not, you know. Obviously, there’s a lot of alcohol and substance abuse as well. But again, that’s like glamorized and cool, right? Like you’re drinking [at] every event, every event is still kind of a boy’s club.” **NB-2**

Finally, some participants have the impression that they are expected to exhaust themselves and suffer at work in order to demonstrate their commitment to the job. Otherwise, they are perceived as not working hard enough. The following participants bear witness to this.

“[...] it’s still kind of an old school view that you have to be like running yourself ragged to be a good legal professional [...]. But still, some people see it that way.” **YK-5**

“My perceptions are that it’s bad that people are not well in the profession overall and that it’s kind of expected that you are going to, like, suffer if you want to be in this profession and that if you’re not suffering, it means that you’re not working hard enough.” **BC-1**

STIGMATIZATION STILL VERY PRESENT

Although there seems to be a growing awareness of the impact of the demands of legal practice on the well-being of professionals, the fact of experiencing mental health issues is still poorly perceived in the profession, according to several participants. The impression of these participants is that mental health issues would be perceived as a sign of weakness and of poor commitment to the job. This is further expressed by participants in the excerpts below. In this regard, 53.8% of participating legal professionals believe that people in their profession think that mental health problems are a sign of weakness (Cadieux et al., 2022).

“[...] it is the sort of expectation of what you’re supposed to take on with the complaining and not reaching out for help because that is seen as a weakness or seen as you’re not career focused. Those things continue to be problems.” **AB-5**

“It’s like, ‘oh, there’s all these lines of assistance out there if you need it.’ But at the same time, if you show any vulnerability or say, ‘I need to rest,’ you’re no longer reliable, you’re no longer able to work as many hours, there’s this sort of stigma attached to you.” **NB-4**

“There is this impression that [...] you have to be on all the time, that you cannot show any form of weakness or that you’re dealing with something. So, I know of a lot of peers as well as colleagues that unfortunately suffer [in] silence and whether it’s their gambling, they’re cheating on their spouse, they’re turning to drugs and alcohol that is their way of needing to cope with what they’re dealing with.” **ON-4**

The last participant also mentions that some peers or colleagues suffer in silence, turning to harmful coping strategies such as substance use and other addictions.

In doing so, many legal professionals will hide their mental health issues for fear of reprisals or negative opinions about them, as the following participants pointed out.

"But I also think there's a limit right to people's understanding, and I know that we are still very guarded. As a professional, I'll speak a little bit frankly to colleagues about my own situation, but I don't share everything of course, because I do worry about being judged or assessed." **ON-5**

"Puis si tu ne te sen[tais] pas bien, [il] ne fallait pas le montrer, à tout prix. C'est vu comme une faiblesse. Puis, d'autres personnes pourraient prendre avantage de ces faiblesses-là." **NB-3**

What is more, although some legal professionals have the opportunity to take sick leave due to stress, one participant explained that he didn't want to take advantage of it for fear of negative treatment upon his return.

"[...] when somebody was on a leave for medical reasons or maybe a stress leave, there would be negative chatter about that in the office. [...] I was entitled to paid stress leave. But that stigma is what stopped me from doing that because I couldn't bear the idea of returning, knowing that they would think less of me. You know, it was already not a good work environment, so just for me I couldn't do it." **ON-3**

Finally, another participant mentioned the mentality that seems to prevail regarding the need to be "the strongest" and to not show any signs of weakness. In so doing, legal professionals will accumulate their problems to the point of no return, where they are no longer able to endure them and have to go on sick leave.

"I think in private practice, people are more inclined not to address any issues they may be dealing with and maybe let things build up or continue until they're no longer able to manage it by themselves or no longer able to deal with it. And then they have to maybe take a short-term or long-term leave, or maybe it results in them being fired. So, I think that sort of almost like 'survival of the fittest' sort of mentality that still is within private practice does create that—I'm not sure what the word is—but it's like when you see older movies, and it's like that sort of macho sort of mentality where it's like if you got an issue, just suck it up. Nobody wants to hear about it. Just do your work. And when you've done your work, here's another file." **NB-4**

LOOKING TO THE FUTURE...

Considering the demands of practice on the health and well-being of legal practitioners, some participants felt it was important to bring about systemic change in the profession. While therapy and meditation are effective strategies for helping legal professionals deal with issues experienced at work, they do not target the causes of these issues, which will continue to plague them throughout their careers. The following excerpt summarizes one participant's thoughts on the matter.

"Listen, I think it's really good that these studies are happening, but at the end of the day, I hope that the system changes and it's not going to change from the people. It's not about individual changes. It's not about going to therapy, meditating or wellness or whatever, it is a systemic issue [...]. Regulators and the courts and the judiciary system itself needs to change for people to even want to be lawyers or be happy in this profession." **NT-2**

Consequently, a major, systemic change would improve job satisfaction and be more attractive to future legal professionals, according to the latter.

Change on this scale takes time. It requires a whole generation of legal professionals, impacted by the difficulties of legal practice and involved in discussions on the themes of mental health and wellness, to transform the professional culture, as this participant explained.

”

“I think the only way there’s going to be serious change is that, I don’t think it will come from the senior lawyers, I think it will come from the 25-to-35-year-old lawyers that are suffering from mental health issues and we are talking about. Because at the end of the day, these issues are unfortunately ingrained into the profession. The mental health and push of the high expectations, the high demand is so ingrained into being a lawyer, that I think it will take a new generation that is suffering this to have these changes made. **NS-2**

In so doing, the younger generation of legal professionals is not only heir to a tradition, but also the bearer of change. However, like this participant, the most experienced and respected leaders in the profession have a particularly key role to play in initiating this transformation. It is therefore important to continue our efforts to enable a healthier and more sustainable transition of legal professional culture in Canada.

1.4 PRIORITY THEMES

In order to identify the priorities of legal professionals working across Canada's provinces and territories, a list of 10 key themes arising from Phase I (Cadieux et al., 2022) was included in the invitation sent to prospective Phase II 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, respondents were asked to rank each of these priorities themes in order of importance. The three themes most important to those interested in participating in interviews were then selected for each of the reports making up Phase II.

More precisely, a score was calculated for each theme according to the number of times that theme was ranked among the top 3 priorities by interested respondents. Table 5 lists the three priority themes identified by legal professionals in relation to Phase II for each province and territories.

Table 5
Top three priority themes by province or territory

Phase II report	Priority themes (score)
British Columbia	1. Work-life balance (101) 2. Working conditions and cognitive demands (88) 3. Coping strategies and lifestyle (76)
Alberta	1. Working conditions and cognitive demands (17) 2. Work-life balance (17) 3. Coping strategies and lifestyle (12)
Saskatchewan	1. Training and mentorship (8) 2. Work-life balance (7) 3. Working conditions and cognitive demands (6)
Manitoba	1. Work-life balance (46) 2. Working conditions and cognitive demands (41) 3. Coping strategies and lifestyle (27)
Ontario	1. Working conditions and cognitive demands (63) 2. Work-life balance (59) 3. Coping strategies and lifestyle (51)
Quebec (lawyers)	1. Working conditions and cognitive demands (28) 2. Work-life balance (25) 3. Coping strategies and lifestyle (13)
Quebec (notaries)	1. Working conditions and cognitive demands (23) 2. Work-life balance (13) 3. Regulation and practice review (12)
New Brunswick	1. Work-life balance (25) 2. Working conditions and cognitive demands (23) 3. Billable hours (14)
Nova Scotia	1. Working conditions and cognitive demands (19) 2. Work-life balance (15) 3. Coping strategies and lifestyle (12)
Prince Edward Island	1. Working conditions and cognitive demands (8) 2. Work-life balance (6) 3. Coping strategies and lifestyle (6)

Phase II report	Priority themes (score)
Newfoundland and Labrador	1. Work-life balance (15) 2. Working conditions and cognitive demands (14) 3. Coping strategies and lifestyle (10)
Three Territories	1. Work-life balance (19) 2. Working conditions and cognitive demands (14) 3. Coping strategies and lifestyle (13)

According to the priority themes presented in the previous table, it can be seen that the themes of Work-life balance, as well as Working conditions and cognitive demands, feature in all Phase II reports (12 times), testifying to the importance of these two themes for legal professionals across Canada. In fact, these themes are the first and second choices for all reports, with the exception of the Saskatchewan report. The theme of Coping strategies and lifestyle also recurs in the majority of reports (9 times), constituting another important theme for most legal professionals in Canada. Finally, three Phase II reports deal with themes that depart from those mentioned above: Training and mentoring (Saskatchewan), Billable hours (New Brunswick) and Regulation and practice review (Quebec notaries).

An analysis of the priority themes chosen by all Canadian legal professionals who expressed an interest in participating in Phase II interviews once again shows that work-life balance ($n = 149$) and working conditions and cognitive demands ($n = 141$) are by far the most important themes for them, which is why these two themes appear in all the Phase II reports. Graph 7 shows the first choice of themes by legal professionals interested in participating in this research. The themes in green are those selected for at least one Phase II report.

Graph 7

Themes selected as the first choice among Canadian legal professionals interested in participating in Phase II interviews



Intuitively, the themes featured in the Phase II reports are high up in the ranking presented in the previous graph. However, we can see that diversity and inclusion in the practice of law in Canada ($n = 41$) was selected as a primary theme by many prospective participants, overtaking two selected themes for the Phase II reports, i.e., billable hours ($n = 37$) for New Brunswick report and regulation and practice review ($n = 31$) for Quebec (notaries) report. Although this theme is important to many legal professionals, it never emerged as one of the three priority themes in the Phase II reports.

Table 6 shows the themes listed as fourth and fifth priorities for each of the Phase II reports.

Table 6
Themes selected as 4th and 5th priorities by respondents by province or territories

	4th choice	5th choice
British Columbia	Training and mentorship	Billable hours
Alberta	Training and mentorship	Diversity and inclusion in the practice of law in Canada
Saskatchewan	Return to work after a prolonged medical leave/absence (three months or more)	Diversity and inclusion in the practice of law in Canada
Manitoba	Billable hours	Diversity and inclusion in the practice of law in Canada
Ontario	Diversity and inclusion in the practice of law in Canada	Training and mentorship
Quebec (lawyers)	Billable hours	Training and mentorship
Quebec (notaries)	Billable hours	Telework
New Brunswick	Training and mentorship	Coping strategies and lifestyle
Nova Scotia	Training and mentorship	Diversity and inclusion in the practice of law in Canada
Prince Edward Island	Training and mentorship	Law practice and technology (technostress)
Newfoundland and Labrador	Training and mentorship	Billable hours
Territories	Training and mentorship	Diversity and inclusion in the practice of law in Canada

As mentioned above, the reports always focus on the same themes: (1) work-life balance; (2) working conditions and cognitive demands; and frequently (3) coping strategies and lifestyle. Considering that these themes have emerged as priorities for a majority of Canadian legal professionals and in a majority of provinces and territories, the following pages offer a portrait of these themes.

THEME 1 | WORK-LIFE BALANCE

Looking at the different Canadian provinces and territories, the theme of work-life balance appears to be a recurring one and a constant challenge for many of the participating legal professionals. This section aims to connect this theme to some of the many related underlying factors. Among these, long working hours, stress and burnout seem to be common constraints experienced by many Canadian legal professionals.

Legal professionals, especially those at the start of their careers, those working in large firms or, more generally, in the private sector, are often subjected to very busy working weeks. As one participant explained, the lawyers around him seem to have difficulty separating the spheres of professional and family life.

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“It is not good. My impression generally is everybody, certainly in the private sector, but I know in government as well, right? I mean, [in this town], there’s a lot of public sector lawyers that I interact with, everybody feels overstressed, overworked, and has a difficult time of separating the work life from the life away from the practice. So, my sense of it is anyways, most people are struggling and that would have been before COVID-19 hit. And I think things have gotten noticeably worse.”

ON-5

Between contractual demands, billable hours and exceptional workloads, the time available to legal professionals outside of work is limited. However, despite the bidirectional nature of work-life conflict (Jansen et al., 2006; Cadieux et al., 2022), it is mainly the incursion of work life into personal life that is perceived by legal professionals (Cadieux et al., 2019; Cadieux et al., 2022). Work therefore becomes a very important part of daily life, limiting the time available for self-care, as the following excerpt illustrates.

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“The barrier that your work has is that your work takes up so much of your day so that you only have such a small amount of time to dedicate to other things. [...] then you don’t have enough time to take care of yourself.” **NS-4**

What is more, many participating legal professionals reported that the pressure of deadlines and the expectations of clients and employers amplify stress at work. These factors often require them to work longer than usual to meet deadlines and satisfy requests, making it difficult to mentally disconnect after working hours. Understandably, the performance culture in law firms emphasizes productivity and professional success, often to the detriment of personal well-being and work-life balance.

In short, the combined effect of these working conditions and cognitive demands creates a significant imbalance in the lives of legal professionals that can lead to stress and burnout (Cadieux et al., 2022) and negatively impact their family life, as the following excerpt illustrates.

“[...] you’re working yourself so much that your personal life suffers and your interpersonal life—with your family, your children and your partner.” **BC-3**

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Box 2 below summarizes some of the participants’ key perceptions with respect to work-life imbalance.

Box 2

Participants' perceptions of work-life imbalance among legal practitioners

- "I think. [...] Yeah, just from a lot of people in the profession, a lot of lack of work-life balance, I think is a big thing. Well, work has kind of taken on her life." **YK-5**
- "[...] we struggle a lot with [...] achieving like a work-life balance, I'd say." **NS-5**
- "I don't think we're doing very well, or frankly, I think that there are many issues [...] that are not addressed or have been largely ignored or seen as part of the practice for a very long time, issues such as [...], you know, family conflict, long hours, [...]." **AB-5**
- "I think that people are so busy in what they're doing that, even despite their best efforts to focus and take care of themselves, it never really happens because of the pace of the wor. And because of the demands of the work, there's never time to really pause and to be able to just walk away even for a moment and do what you need to do to be okay." **ON-9**
- "Il y a aussi toute la question de la conciliation travail-famille qui n'est pas évidente non plus." **QC-5**

Another consequence of the demands associated with the practice of law is that many Canadian legal professionals are apprehensive about starting a family. According to the data collected during Phase I of this study, 15.1% of legal professionals surveyed do not wish to have children because of their professional obligations (Cadieux et al., 2022). Thus, the desire to start a family appears to go hand in hand with doubts and fears as to its compatibility with the profession. Many participating legal professionals spoke of their apprehension about starting a family. This fear is rooted in the idea that work would not allow them to spend enough time with their children. They also worry about the impact that starting a family could have on their career progression.

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"It's difficult to think about having a young child and then not being able to spend time with them because you have to work or something like that. Because you have to be available to work outside of working hours [...]. I also get a little bit worried about having to leave for [parental] leave and then losing traction with my trajectory. [...] I won't be top-of-the-line anymore for them to give work to. And then that'll affect my work, in general." **NB-5**

"I would say that for women in my profession, the biggest barrier to having a family is the likelihood that that will be held against them in promotions, in the private sector, even if it's not formally held—certainly. Young women who have children get promoted to partner way slower than their male or no children counterparts. For men, I would say the biggest barrier is time, the idea that they're going to be at the office so many hours every day that they're not going to have the time to spend with their kids and with their family or their spouse if that's what they all have at that point." **PEI-2**

In summary, this theme highlights the significant challenges faced by participating legal professionals around work-life balance. For some, those challenges even go so far as to raise fears about their ability to fulfill their personal goals, such as starting a family.

THEME 2 | WORKING CONDITIONS AND COGNITIVE DEMANDS

The theme of working conditions and cognitive demands is present in all the reports, offering a panorama of the constraints and resources faced by the participating legal professionals. The interview excerpts presented here provide an overview of the situation and show that the experience of participating legal professionals is marked by constant pressure to excel, an oppressive and complex workload, and significant emotional and intellectual demands.

“Les exigences sont très hautes, voire même peut-être trop.” **NB-1**

Pressure to perform and importance of reputation

“On s’attend que chaque avocat va performer, va exceller; il va être au-dessus de la moyenne [...] Mais on ne peut pas tous exceller, on ne peut pas tous être numéro un.” **NB-3**

“It’s a small bar; your reputation means everything. So that’s a lot of pressure. If you have one bad interaction with someone, then you worry that that will make people think you’re a bad lawyer.” **NB-5**

The pressure to excel and the importance of reputation are key elements that profoundly influence the daily lives and professional prospects of some participants.

No right to error and vulnerability

Another constraint is that there is no room for error. Some participants say that they cannot afford to be vulnerable and that showing signs of weakness can lead to rapid exclusion from the legal community.

“Il n’y a pas place à l’erreur. [...] on a toujours l’impression qu’on doit être parfait.” **QC-1**

“You don’t want to admit you have a problem because [...] you never want your opponent to know you have a weakness.” **AB-1**

“And if you show weakness, then you can be cut out of the picture pretty quickly.” **NB-4**

“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 comes up to me and say, ‘This is what you signed up for. You need to toughen up!’” **ON-4**

Quantitative overload and tight deadlines

Many work conditions are difficult, such as the workload, which is characterized by quantitative overload and tight deadlines.

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

“The sheer volume of work. I’ve been doing this for [many] years, and I have never, ever had a slow day.” **NL-1**

“There’s always stress with time and deadlines [...] there’s always that time pressure.” **NL-3**

“It was a really stressful job with a huge workload that never ended, because the more you did, the more work you were given, basically.” **YK-1**

Emotional demands

Some work constantly with the emotional demands of traumatic situations, especially those involving children, adding to their emotional burden.

Qualitative overload, intellectual demands and the weight of responsibility

Several participants mentioned that their work bombards them with intellectual demands, that the weight of responsibility weighs heavily on their mental load and that their thoughts are obsessed with work.

“C’est très demandant parce qu’on a la sensation qu’on a la vie de la personne en main, on a une certaine responsabilité [...] Il ne faut jamais oublier qu’on est tout le temps sujet à des poursuites, sujet à perdre notre licence.” **NB-1**

“There are also the rigorous intellectual demands of trying to carry out the job properly [...] it gets harder and harder because our files get larger and larger and more complex.” **NS-6**

“Le bureau est toujours dans notre tête. On prend notre douche le soir, on pense au bureau. On écoute la télé, on pense au bureau. On passe à un dossier qu’on a peut-être oublié. On se fait des notes. Charge mentale toujours à 100 %.” **NOT-5**

“I had to go [...] and review [...] all of these seized images of child pornography [...] there was absolutely no sort of preparation or debriefing at all. And those images stuck in my mind for four months afterward.” **NT-1**

“La charge émotive, elle est là parce que les enjeux sont importants [...] la preuve dans nos dossiers, elle est toujours très prenante émotivement.” **QC-4**

“We’re dealing with it, largely people whose lives have been turned upside down and have had a trauma of some sort [...] Law school doesn’t teach you how to learn about people’s lives.” **YK-3**

Essential resources: support and collaboration

In spite of these constraints, several participants mentioned the importance of support from colleagues and collaboration.

“[...] je vous dirais que c’est mon outil peut-être principal pour vivre et m’exprimer sur des choses difficiles, c’est le soutien de mes collègues.” **QC-4**

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

Stress levels are also influenced by the work environment. Some participants mentioned needs and suggested solutions.

“Performance requirements should be more around: calmness, consideration, being able to coordinate both a legal and a social or psychological approach in all matters and being able to find additional resources that are not within your area of expertise.” **PEI-2**

“But you know, what we need is more resources. We need more lawyers, we need more judges, we need more time. We need more of everything.” **NU-1**

So, we’re given a lot more responsibility early on without any real, meaningful oversight, mentorship or guidance.” **NU-3**

“One of the biggest stressors I find now is that the expectations do not match the resources. [...] You want to save the world, but it’s not as easy a task as we’d like it to be.” **NS-1**

THEME 3 | COPING STRATEGIES AND LIFESTYLE

Among Canadian legal professionals, the state of play regarding the impact of psychological distress and stress on the adoption and maintenance of healthy lifestyle habits and effective coping strategies is worrying. The first phase of the *Towards a Healthy and Sustainable Practice of Law in Canada* national study (Cadieux et al., 2022) made it possible to measure the presence of various constraints. The following segment reports the words of a legal professional practising in Alberta, who sums up the importance of this theme for the profession.

“Generally speaking, legal professionals are stressed and overworked, do not pay enough attention to proper nutrition, do not take enough time to exercise and sleep. People in our profession do not place enough emphasis on either physical or mental health. There is an odd exception for marathon runners and triathletes, but they are, by far, a very small slice. Most of us try to fit healthy habits around our practices.” **AB-4**

Lifestyle habits, i.e., the habitual ways that people go about the various activities of daily life (Lalonde, 1974; Glouberman and Millar, 2003), are said to be *healthy* when they are likely to improve physical and mental health (Health Canada, 2023). For many, quality sleep (Wang et al., 2022), a balanced diet (WHO, 2023), as well as leisure and physical activity (Health Canada, 2011) are healthy lifestyle habits that some participants have identified as a priority.

“Ma façon de voir les choses : si je peux prendre soin de la base qui est dormir, bien manger, aller à la toilette, faire mes exercices, ça sonne drôle, mais si je peux faire ces choses-là régulièrement, le reste tombe en place.” **NB-3**

Sufficient sleep promotes physical health as well as cognitive faculties such as attention, memory and decision-making (Wang et al., 2022; Krause et al., 2017; Lim et al., 2010). The following segment relates on a legal professional's comments on the importance of sleep to his functioning.

“I highly value my sleep and generally get enough of it. However, my sleep duration can sometimes fluctuate up to 10 hours. This is more than many other people need, but I require my ‘princess sleep.’ Without it, I can't function well. I can manage with seven hours for one or two days, but beyond that, I can feel my mental faculties declining.” **SK-4**

Some of the legal professionals we interviewed spoke of the difficulty of maintaining a **healthy diet** which includes a balanced energy intake and food diversity (WHO, 2023; Health Canada, 2021). One legal professional told us about the changes they have implemented to restore balance to their eating habits, which were lost due to the demands of the legal profession.

“In the beginning of my practice, I used to eat meals sporadically, skipping lunch or breakfast. But, in the last year, I really changed my eating habits because my anxiety was bad and I had to do something. Now, I try to eat two square meals a day. For breakfast, I'll usually have a protein shake. So, I'm pretty consistent in my diet as far as ensuring I'm eating.” **NS-5**

Regular physical activity

promotes optimal health and adaptation to the physiological symptoms of stress (Iwasaki et al., 2001; Health Canada, 2023). Indeed, some professionals claimed to engage in a variety of hobbies and activities to relax.

"I'm the kind of person who hops on his bike and rides home after work—which is a 20-kilometre ride with many hills. Otherwise, when I go home, I go for a walk or run with my spouse and the dog. If we go for a run, we're probably going to jump in the river and have a swim. For me, unwinding is almost always activity-based. And we like to prepare food. A big thing that I have enjoyed doing is when we're completely off work. We love the outdoors, so we're always paddling, hiking, or biking somewhere out in the outdoors. It is just so, so good for the soul." **YK-3**

In addition, regular exercise is associated with the use of cognitive coping strategies to deal with stress, or even better resist it (Perchtold-Stefan et al., 2020). One participating legal professional described how they set and held firm to their limits so that they could keep participating in sports.

Healthy coping strategies for dealing with stress

represent the cognitive and behavioural efforts a person adopts to cope with the perceived demands of a stressful situation (Lazarus & Folkman, 1984), acting either on problem solving or on the management of emotions in the face of the problem (Folkman & Lazarus, 1985; 1988).

"I've practised karate for a while and that is something that requires being at the dojo at a certain time, on a certain day. On those days, everybody I worked with just understood that they couldn't ask me to work late. They couldn't ask me to go out for drinks after work because the answer would just be 'no.' It was a day that I did karate and that's what I did. That was an area where I drew the line." **BC-4**

The interviews seemed to highlight a generational difference regarding the *emphasis on emotional management and problem-solving* in the adoption of **coping strategies**. One seasoned legal professional shared their observations about this perceptual change among lawyers at the start of their careers in the prioritization of work over one's personal life. They described what appears to be the adoption of coping strategies that focus on the problem (the demands of the profession) rather than the emotion in the face of the problem.

"Lawyers from my generation got into this profession knowing that it is high-paced and very stressful, and they were prepared to devote a lot of time to their profession, sometimes at the expense of recreation, overall health, family, etc. Lawyers early in their career are not prepared to accept that, as a standard or as a given, and they're seeking a different experience and perhaps, quite frankly, a better experience." **NS-3**

Many legal professionals who took part in this study reported making good use of **social coping strategies** to deal with the negative emotions or stress they may experience in their practice. For some, this includes social support sought or received from colleagues, family or friends.

"I take part in therapy on a fairly regular basis. So, we've worked on mindfulness practice to balance my stress and anxiety. I turn off my work phone at a certain time every day and do not check my email after a certain time unless there's something urgent that I'm waiting for. That has made a difference in setting work-life boundaries when I'm at home with my family." **MB-2**

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“On s’entraide énormément et c’est une grande source de soutien. Je vous dirais que c’est mon outil – peut-être – principal pour traverser et m’exprimer sur des choses difficiles, c’est le soutien de mes collègues, leur présence, effectivement.” **QCA-4**

In addition, a number of **negative coping and avoidance strategies** were discussed in relation to a work context where responsibilities and work overload lead to an accumulation of stress. Several participants reported heavy drinking to the point of making themselves sick.

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“Quand j’étais jeune, on appelait ça ‘brosser.’ On se rencontrait et on buvait jusqu’à temps qu’on soit malade. Pour moi, ce n’est plus une façon de *coper*. Aujourd’hui, mes petites détente sont la télévision, la lecture, la marche.” **NB-3**

The statements made by participating legal professionals and quoted here point to a dynamic in which lifestyle habits and coping strategies for dealing with stress reinforce each other. Healthy lifestyle habits reinforce the choice of available or preferred coping strategies, which in turn encourage the adoption and maintenance of healthy lifestyle habits (Omasu et al., 2022). However, the restrictive demands associated with the legal profession can compromise the ability to maintain these good lifestyle habits, or even lead to the adoption of unhealthy habits which can in turn lead to unhealthy coping strategies.

“I don’t have time for my family and I struggle to find time to get everything done at work. To then try to squeeze in exercise or personal development; already, I’ve got a deficit in time, right? Where do you fit in social relationships? I know that that’s a function of the work that I have.” **ON-5**

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1.5 CANADIAN LEGAL PROFESSIONALS' EXPECTATIONS OF THEIR PROFESSION AND WORKPLACES

During their interview, several participants offered potential solutions for sustainably supporting the health of legal professionals in Canada. The various Phase II reports group together a number of solution strands based on what was important to the participants. Thus, Canadian legal professionals' expectations of their profession and their workplaces revolve mainly around five themes: (1) work organization; (2) work-life balance; (3) training and professional development; (4) wellness; and (5) support. These themes are described below.

THEME 1 - WORK ORGANIZATION

Adapting work requirements

Solutions relating to work organization focus mainly on work demands, workload and assignments, all of which are key components of working conditions and cognitive demands, which is a priority theme among participants. This means aligning requirements imposed on legal professionals with workload and available resources. These requirements often involve high case loads (quantitative overload) and tight deadlines that severely limit the amount of time that legal professionals can dedicate to case preparation. Also, poorly defined expectations with respect to urgency result in relentless pressure on legal professionals and a fast pace that never eases, making them feel like they are constantly racing against the clock. In this light, high workloads compromise the work-life balance and health of legal professionals. One participant in particular shared their thoughts on the subject, as shown in the excerpt below.

“Less files, more staff, more time... [...] It's such an interesting field of work and people like sort of this idea that doing not like working contracts all day is going to be so boring in comparison. But it's just too much. If we felt like we could put, you know, actually put our full effort into every file and not be pulled in a million directions, [we] would actually love the work. So, it's really just more people to be able to have a more manageable life and be able to decompress after a hard day and not have to immediately go into the next thing.” **YK-4**

Moreover, when legal professionals are exposed to significant and recurrent stressors, diversifying the types of assignments (files), even within the same area of practice is likely to reduce the weight of those stressors by decreasing the degree of exposure thereto from one assignment to the next. This strategy would be particularly helpful in areas of practice that are typically associated with high emotional demands, such as criminal law or family law. It is therefore not surprising that diversifying assignments to limit the degree of exposure to high emotional demands was put forward by a number of participants. The following excerpt from a participant working in Alberta reflects their thoughts on the matter.

“I also asked for assignments that are not specific to my area so that I can sort of do something different, even though we're so specialized. So, from time to time, I'll have one or two files that do have nothing to do with online child abuse. And that's a refreshing change, even though that's, you know, different kinds of victims involved. But for me, that's important for resilience and the longevity of practising, just to keep that option open, that I can do other things and be and contribute to my workplace in other ways other than just handling my files.” **AB-5**

Evaluating alternative models to billable hours

On the other hand, some participants suggested implementing alternative work organization and billing models to billable hours. These solutions are in keeping with the theme of billable hours addressed in Phase II and are in line with Recommendation 4 issued by Cadieux et al. (2022), i.e., evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health. First and foremost, it was suggested that billable-hour targets no longer be imposed on new legal professionals, particularly during the first two years of practice. These targets add a heavy burden to entry into the profession, at a time that is crucial for building a solid foundation as a new legal professional, developing and gaining experience. The following excerpt supports this view.

“I just feel like a burden especially for the first few years, where you’re already confused and are learning so much; it’s an exhausting time to have this target imposed. I know they must make money, of course, but especially for the first few years, I think the emphasis should be on learning and not focus on the feeling of being rushed because you know that your time will be written off. That’s not going to make a high-quality lawyer, it just feels a bit like a heavy weight, I guess.” **NB-2**

Second, a number of participants suggested the idea of revising the billable-hours model to include assignments that are typically not counted towards billable hours, such as pro bono cases, related firm involvement and mentoring. One participant also suggested that billable hours could be ‘credited’ during vacations, thus providing an incentive for people to take time off. This would encourage legal practitioners to take time off without falling behind on their billable-hour targets, as explained by one participant in the following excerpt. These alternative models would reduce the pressure of billable-hour targets while promoting a better work-life balance.

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

Promoting teamwork and collaboration

Finally, certain participants offered potential solutions regarding teamwork and collegiality. On the one hand, working as a team on files would facilitate work by reducing perceived stress and work overload. This collaboration would ensure a second pair of eyes to help reduce mistakes. It would also encourage peer support, providing an opportunity to ask for advice and share work tools.

On the other hand, by setting up multidisciplinary teams, each member brings their own value and expertise to the table, fostering the emergence of available resources and new solutions for resolving issues. One participant in particular expressed the following.

“So, you have (to have) many hands to make light (er) work. And so, you have more people to kind of share the workload or more people to go to if you have questions. Everybody brings so much value with their own experience in their own practice where if they work somewhere else and I just feel like there’s so much value in that diversity of experience. And so, I feel like having more people to share the workload and to provide that (would) help each other kind of thing. And then having that or feeling more supported in [...], autonomy over my practice kind of thing.” **PEI-1**

THEME 2 - WORK-LIFE BALANCE

The second grouping of solutions directly addresses a priority theme identified by participants for all Phase II reports: work-life balance.

Implementing policies that promote and support work-life balance

Several participants suggested solutions that revolved around implementing measures to promote work-life balance. The first step is to promote a healthy balance between professional and personal life, by encouraging legal professionals to take time for themselves—days off and vacations—but also by encouraging them to finish their working day at an appropriate time and to take breaks throughout the day. The following excerpt reflects one participant’s thoughts on the matter.

“I wish supervisors for all professions respected work-life balance. [...] I feel like if there are more proactive encouragements that you don’t have to be a star. Like and you know what? Take a break. I feel like a lot of younger lawyers would have a much better, not even work life balance, but just better mental health. It’d be like, okay, I don’t have to push myself as much as I am. I don’t think the profession will ever get to a point where we can work 9 to 5 while it’s just a 9 to 5 job. But I’d like there to be a time where, you know, you work for an hour or two, with the expectation of having worked enough. Because I don’t think whatever the lawyer works is enough.” **NS-2**

The second step would be to implement concrete measures to promote this balance. While it is important to promote work-life balance (the what), it is equally necessary to implement concrete measures that promote it (the how). For example, one participant suggested promoting work-life balance by explaining, in concrete terms, what it means and providing tangible examples of what it should look like.

“Again, my problem with that is that it’s one thing to just use cliches like, ‘Well, you got to make sure you have a work-life balance and always know that.’ [...] I think some more tangible elements of what that looks like needs to be promoted by our law societies and by our firms, especially the larger firms. And so, what does it mean to have a work-life balance as opposed to, you know, just saying it? [...] I think it is manageable if you put the right things in place. It’s unfortunate, however, that it sometimes takes many, many years to get there, to appreciate that if you don’t put these things in place, you may be doing a lot of damage along the way. And you don’t know exactly how much stress you’re going to take on before you manage it.” **MB-2**

Promoting the right to disconnect

Some participants also discussed solutions to promote the right to disconnect. It is undeniable that over the last few decades, technologies have greatly accelerated the pace of work (Cadieux et al., 2019). However, they have not accelerated the speed at which people think or process information. So, despite the fact that these technologies facilitate professionals' day-to-day work and help their productivity, they can also be intrusive and interfere with their ability to concentrate during office hours and 'switch off' outside of office hours (Ayyagari et al. 2011; Cadieux et al., 2021; Ragu-Nathan et al., 2008). Through technology, employees can now be reached anywhere and at any time, day or night. One participant suggested that policies must be put in place to enable legal professionals to disconnect from work in order to maintain a healthy work-life balance.

”

“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 [dans le milieu juridique] [...]” **ON-7**

THEME 3 - TRAINING AND PROFESSIONAL DEVELOPMENT

Training and professional development solutions also address one of the Phase II priority themes: training and mentoring.

Adapting university training

Some participants suggested solutions to improve the preparation of future legal professionals, with an initial focus on university courses, a recommendation made by Cadieux et al. (2022) at the end of Phase I. First and foremost, these solutions aim to develop cross-disciplinary skills that will serve future legal practitioners throughout their careers, such as stress management, dealing with clients, emotional self-regulation, as well as time and priority management. This is further expressed in the following excerpt.

”

“Donc des formations sur la gestion du stress, sur la gestion des priorités, sur tout ça. Je pense que ça, tout le volet formation, ça, c’est quelque chose qu’on on peut s’attendre de notre ordre. Et puis, je pense que c’est assez bien. Moi, je remettrais encore plus des formations qui sont plus sur le savoir-être, sur le ou les compétences transversales, les compétences générales, parce que je pense que c’est important aujourd’hui. Sur la santé psychologique, tout ça à un impact sur la santé.” **QC-5**

The development of cross-disciplinary skills also involves providing training that aligns with risk factors and specifically the management of vicarious traumas. This was aimed to limit the impact that clients' traumas could have on the legal professionals who represent them. This participant suggested encouraging these approaches and practices for legal professionals as part of their training, so that new legal professionals are prepared to deal with their clients' traumas and the resulting emotions.

“

“[...] we’ve spent a lot of time working on trauma-informed approaches and trauma-informed lawyering [...]. And that is one thing that I don’t know that we’re doing enough to promote. I mean, I’d love to see it even within law school, really promoting this trauma-informed approach. Like I remember reading terrible criminal law cases, my first year of law school and having to do mock trials where I was like representing pedophiles and I don’t think that was okay because no one was telling me how to take on – even though it was pretend – to take on the emotion of doing that.”

NS-1

Secondly, participants were very critical about the lack of variety in university curricula. The practice of law involves a certain entrepreneurial aspect, as many legal professionals chose to start their own practice (Herrera, 2012). Although business courses are offered in law schools, their focus is largely theoretical. As a result, these courses do not enable students to sufficiently develop certain practical skills related to opening and operating a law firm, networking, business development, etc. In short, current training does not sufficiently foster the development of business skills. For this reason, one participant explained the importance of emphasizing the development of business skills in the training of future legal professionals, many of whom will be starting their own business one day.

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“There were six of them describing various solo practices or owning their own small-to-medium-sized firms. And yeah, just to realize what they have gone through to set that up, right? And that there’s no support, there’s no manual you can go to be like, ‘This is how you do this right, and all the steps.’ I’m hopeful we’re going to make some headway there. [...] And ‘how do you set up a corporation?’ You always studied corporate law and we know the theory, but like, practically, is it important to incorporate? How does that work? Like, you know, all the little minor stats and then stuff like that. Even if you’re going to work in a set-up firm, an existing firm, how do you get clients, right? [...] But then you see it gets to be at this point where you’re supposed to bring in your own business and you’re like, ‘Hang on, I don’t know anybody and I have no business skills or interest in networking and building a network.’ So, yeah, I feel like there’s a lot of things that could be done. It would be really great for students to come out [of law school] with a better sense of, you know, ‘This is a business’ [...] But if a large part of the profession is being an entrepreneur. And yeah, there’s no, at least from my experience here in Manitoba, there was no preparation for that.”

MB-5

Finally, other participants mentioned the importance of reinforcing the practical nature of training, which is also in line with recommendation 1.1 issued by Cadieux et al. (2022). In fact, one observation shared by several participating legal professionals across Canada with regard to training is that it focuses far more on theory than practice. This sometimes results in a disconnect between theory (learning) and practice (work experience) upon entry to the profession. This disconnect is explained by one of the participants in the excerpt below.

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

NL-2

“

Improving mentorship

Several participants mentioned the importance of formalizing mentoring, or at least providing better support for legal professionals at the start of their careers. This finding is in line with recommendation 3.4 of Phase I of this project (Cadieux et al., 2022). As previously mentioned, the first years of practice are crucial to the development of young legal professionals. With a view to optimizing this development, a number of participants stressed the importance of providing young legal professionals with access to mentoring and coaching, including adequate articling program supervision, 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. The following excerpt supports this conclusion.

“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?” **ON-10**

“Again, not just my workplace, but I think there just needs to be better mentorships or formal mentoring programs and then better support in terms of becoming a new lawyer, the transition training support. I know some places have career coaches either in-house or hired externally. Like this is your career, what you want to do with it, how do you want to develop your business? What do you see yourself doing? And it’s not necessarily just stay with the firm, but it’s really to build your brand and stuff. I think that’s interesting.” **NB-2**

Aligning professional development programs with the needs of legal professionals

Finally, several participants stated that the training programs offered by their law society did not always align with the needs of legal professionals and their specific area of practice. Consequently, the suggested resources remain overly general, rather than targeted to legal professionals’ specific needs. In this regard, participating legal professionals suggested that ensuring a better tracking of their evolving needs and challenges as they progress in their careers could be one way to facilitate career development and improve their ability to cope with stress in their practice. As such, developing tailored continuing education programs that are relevant to specific area of practice would make it easier for legal professionals to manage practice-related stress, as explained by one participant in the following excerpt. These suggestions are in line with recommendations 3.1 and 3.2 issued by Cadieux et al. (2022) at the end of Phase I.

“I know that the Law Society is working on a new continuing education program for us. [...] But a lot of the times it’s frustrating because it’s not specific to my area of practice and I know that a continuing education plan cannot cater to everybody. But it’s frankly, a lot of the things they want us to do doesn’t apply to us, so it’s not super helpful. So maybe some more flexibility from the Law Society to say about what we can do would be useful [...]” **AB-5**

THEME 4 - WELLNESS

Promoting a culture of openness to wellness discussions

In order to foster discussions on wellness in the legal profession, it is first important to promote a culture of openness where legal professionals feel free and comfortable to have these kinds of discussions. Only then will they be able to openly exchange on the challenges they may be facing in the practice of law. This point was raised by a number of participants who stressed the importance of promoting a culture of openness. This underscores the importance of promoting the health and wellness of legal professionals by fostering an environment where they feel free to discuss any challenges they may be facing.

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

“[...] because I think that it’s beneficial for people to know that you’re not alone, like chatting with other people to know, like everybody’s kind of struggling. [...] I feel like it’s like this tension between wanting to be [and] wanting people to feel like they can come to you and wanting to feel like you can have an honest conversation with people.” **PEI-1**

”

Adopting a systemic wellness approach to the practice of law

Although not always mentioned directly, professional culture was a central theme in all Phase II interviews with legal professionals. The analysis of the data suggests that it may be a foundational component that affects the health and wellness of Canadian legal professionals in a number of ways. Indeed, by shaping their expectation of what the “ideal” legal professional looks like, professional culture contributes to the pressure these legal professionals 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**

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In order to improve the professional culture within the practice of law, it is essential to address the requirements that characterize it. One participant explained that the practice environment would be healthier if the pressure around billable hours was reduced. What is more, the idea would be to reduce competitiveness between colleagues and make way for more mutual support. Finally, it would be important to change the paradigm around working hours, i.e., the expectations associated with long working hours. Indeed, according to this participant, it is still frowned upon when a lawyer leaves

the office after a “normal” working day, whereas it seems to be expected that legal professionals work long hours during the day.

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“Mais c’est sûr, juste de façon générale, avoir un milieu plus sain, ce serait moins de pression d’heures facturables, moins de compétition entre collègues, qu’il y a plus d’entraide au lieu de compétition tout le temps, c’est sûr que ça aiderait beaucoup. Mais vraiment, là, réduire le nombre d’heures [...]. Mais dans ce milieu-là, c’est encore très mal vu, il faut être là, arriver tôt. Si on part trop tôt du bureau, c’est super mal vu. [...]. Donc s’il y avait moins cette pression constante-là, c’est sûr que ça aiderait beaucoup.” **NOT-6**

Some of the mental health and wellness solutions implemented by various organizations seem to be doing an adequate job at addressing the many stressors that characterize the practice of law. These solutions notably include mental health resources and counselling services, among others. However, these are short-term, limited solutions, as they merely address the consequences of the problematic situation (like putting a Band-Aid on a cut), rather than acting on its root causes, i.e., the professional demands associated with legal practice and the stereotype of the “ideal” legal professional. As such, it is important that wellness be systemic at the cultural level in the practice of law, as the next participant mentioned.

“When I was reading the first part of the study, someone had made the comment of, you know, ‘I personally think that, telling me to go for more massages, taking more time and self-care, and having another massage isn’t going to help the problem. The problem is I have too much work that I can cope with.’ And I thought, Boy! That is telling because so many of the solutions that seem to me to be offered are Band-Aids. To try to deal with the symptoms of the disease rather than the disease. [...] I think an approach has to be not just telling us it’s okay to take a day [...] Those aren’t going to be the solutions in the long term. [...] Wellness has to be systemic, it has to be systemic from the systems that we operate in and have to operate in the courts and the law society and systemic in terms of changes of attitudes.” **MB-4**

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Preventing workplace violence

Several participants mentioned having witnessed incivility or violence in their workplace. One participant from Alberta explained that violence and incivility also come from members of the courts, who speak to legal professionals in a disrespectful manner. Another participant, this time from Quebec, witnessed violent outbursts in their workplace such as disrespectful behaviour, yelling and threats of violence. For example, he mentioned that he had seen several lawyers make threats to pregnant colleagues that they were going to run them down the stairs. They therefore denounce the law society’s perceived lack of support and inaction regarding this kind of behaviour, which is detrimental to other professionals.

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“Il y a des avocats qui hurlent après les procureurs au téléphone. Ils ne seront jamais sanctionnés par le Barreau. Moi, j’ai vu des avocats de la défense faire des menaces à des collègues enceintes dans les escaliers, qu’ils allaient les faire débouler les escaliers, ah des trucs vraiment inacceptables. Et il n’y a jamais, jamais, jamais d’intervention du Barreau. Il y a des plaintes qui se font, mais ils ne sanctionnent pas les comportements qui seraient inadmissibles dans n’importe quel autre milieu de travail [...]” **QC-4**

“Je vous dirais que du niveau de l’ordre professionnel, je trouve qu’il n’y a aucun soutien. [...] ça prend des années avant que le Barreau fasse quelque chose, alors que ces gens-là nuisent à plein de gens dans la profession. Il n’y a aucun contrôle de la civilité, des comportements des avocats. Le Barreau ne se mêle de rien.” **QC-4**

THEME 5 - SUPPORT

Offering support for dealing with high emotional demands

One form of support suggested by several participants involves providing resources to deal with high emotional demands. The findings from Phase I of this project (Cadieux et al., 2022), as well as the interviews conducted during Phase II, leave no doubt as to the negative and systematic impact of high emotional demands on legal professionals’ health. Exposure to these demands is obviously greater in certain areas of legal practice, such as criminal law or family and child protection law. Many legal professionals working in these practice areas 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.

Cases involving special circumstances, especially when children are involved, are often more sensitive and difficult to handle. Legal professionals must draw on specific skills when interacting with children (or other vulnerable clients) as part of a case and when deciding what direction to take in certain circumstances, since the consequences can be particularly significant for these clients.

For this reason, several participants suggested formal, systematic support in the form of counselling for legal professionals working on emotionally charged cases and with victims of crime. Another participant suggested that lawyers be supported by a social worker when dealing with vulnerable clients, such as children.

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

“I would have a social worker employed within our office to help with our meetings with the children, how to talk about maybe certain direction to take with that particular case. So, an in-house social worker.” **PEI-4**

”

Improving support from supervisor through regular check-ins

Some participants expressed the importance of supervisors being more present and involved with legal professionals through regular check-ins to see how they are faring and if they have enough support and resources to carry out their work. This type of supervision would align with integrated support, whereby legal professionals would be able to discuss their struggles with someone in a position of authority who understands what they are going through and can provide additional support. The aim of this support is to foster a climate of openness and create a “safe” space for legal professionals to discuss what is working well and not so well at work. The following excerpt supports this idea.

”

“Well, the workplace could plug into the partners or the employees on a formal basis, more or less regularly, to say, ‘What is going on. How are you doing? Are you getting the right support? Are there other things that we can be doing for you?’, etc. [...] I think everybody should have a mandatory check-in more often than once a year. But especially lawyers who are newer in their careers, so they have a safe space and open space to be able to say, ‘Well, you know, this is working out, this is not working out,’ etc., etc. And I don’t think my firm does that as well as it could. **NS-3**

The following page presents a summary of the solutions put forward by participants, highlighting the priority theme from Phase II and the recommendation(s) from Phase I (Cadieux et al., 2022) to which they relate.

SYNTHESIS OF PARTICIPANTS' SOLUTIONS

In summary, the solutions most frequently put forth by participating legal professionals with respect to their profession or workplace revolve around five key themes. Table 7 summarizes these solutions, linking them to the priority themes from Phase II and recommendation(s) from Phase I of this project (Cadieux et al., 2022).

Table 7

Summary of the solutions put forward by participants, the associated priority theme from Phase II and the aligned recommendations from Phase I (Cadieux et al., 2022)

Work organization	Priority theme	Recommendations from Phase I
Adapting work requirements	Working conditions and cognitive demands	2 (2.3), 4 (4.1)
Evaluating alternative models to billable hours	Billable hours	4 (4.2), 2 (2.3)
Promoting teamwork and collaboration	Working conditions and cognitive demands	4 (4.1)
Work-life balance	Priority theme	Recommendations from Phase I
Implementing policies that promote and support work-life balance	Work-life balance	10 (10.1)
Promoting the right to disconnect	Work-life balance	10 (10.2)
Training and development	Priority theme	Recommendations from Phase I
Adapting university training	Training and mentorship	1 (1.1, 1.2)
Promoting mentorship	Training and mentorship	2 (2.2), 3 (3.4)
Aligning professional development programs to the needs of legal professionals	Training and mentorship	2 (2.1), 3 (3.1 and 3.2)
Wellness	Priority theme	Recommendations from Phase I
Promoting a culture of openness to wellness discussions		8 (8.2)
Adopting a systemic wellness approach to the practice of law		8 (8.1)
Preventing workplace violence	Working conditions and cognitive demands	8 (8.3)
Support	Priority theme	Recommendations from Phase I
Offering support for dealing with high emotional demands	Working conditions and cognitive demands	6 (6.1)
Improving support from supervisor through regular check-ins	Working conditions and cognitive demands	2

1.6 INITIATIVES IMPLEMENTED BY THE VARIOUS LAW SOCIETIES AND THE CHAMBRE DES NOTAIRES DU QUÉBEC

In the report published following Phase I of this project, which concluded in 2022 (Cadieux et al., 2022), 10 targeted recommendations and 35 secondary recommendations were presented to the various stakeholders in the Canadian legal community (law societies and bar associations, academic institutions, assistance programs, other organizations, etc.). Rooted in the data collected, these recommendations aim to reduce the prevalence of measured health issues (e.g., the prevalence of depressive symptoms), to tackle the source determinants of these issues (risk factors, including stigma, and protective factors) and to maximize the mental health support and resources available to Canadian legal professionals. Box 3 presents the 10 targeted recommendations from Phase I, from which 35 more specific (secondary) recommendations were derived.

Box 3

List of variables measured in Phase I (Cadieux et al., 2022)

- 1) Improve preparation of future professionals to support them to deal with psychological health issues;
- 2) Improve supports and guidance available at entry to the profession;
- 3) Improve the continuing professional development (CPD) for legal professionals;
- 4) Where relevant, evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health;
- 5) Implement actions aimed at destigmatizing mental health issues in the legal profession;
- 6) Improve access to health and wellness support resources and break down barriers that limit access to these resources;
- 7) Promote diversity in the profession and revise practices, policies and procedures that may include or create discriminatory biases;
- 8) Consider the health of legal professionals as integral to legal practice and the justice system;
- 9) Develop a culture of measurement;
- 10) Foster a better work-life balance in the legal profession.

Following the publication of the Phase I report and prior to the start of this project, a number of initiatives were implemented by various law societies across Canada and the *Chambre des notaires du Québec*, including some that align with the recommendations presented in Cadieux et al. (2022).

The initiatives outlined in the Phase II reports are some of the most important ones implemented by law societies across the country and may not represent all the actions currently being taken to improve the health and wellness of Canadian legal professionals within their practice. They reflect the initiatives in place at the time the project's various reports were drafted. It should also be noted that these initiatives do not include initiatives that may have been implemented by private or public organizations 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 the research team by partner organizations involved, i.e., the Federation of Law Societies of Canada, the Canadian Bar Association and the individual law societies themselves.

Table 8 provides a snapshot that shows how many of these initiatives are in line with the various recommendations made by Cadieux et al. (2022). It is worth noting that some initiatives align with

more than one recommendation. They are therefore counted for each of the recommendations with which they align.

Table 8

Number of listed initiatives implemented by law societies and the *Chambre des notaires du Québec* which align with at least one recommendation from Phase I (Cadieux et al., 2022)

Recommendation	BC	AB	SK	MB	ON	QC (law)	QC (not)	NB	NS	PEI	NL	3T
Recommendation 1	1					2		1			1	
Recommendation 2	1	3	3	1	4		1	1		1	1	1
Recommendation 3	1	1	1	2	2	3	2	2	1	1	3	2
Recommendation 4		1	1	2		1						
Recommendation 5	6	3	5	4	1	1	1	2	1	1	1	2
Recommendation 6	8	3	1	5	4	3	3				1	1
Recommendation 7		3	4	3	2	3		1	1	1	1	1
Recommendation 8	4	2	3	1		4	2		1	1	1	1
Recommendation 9									1			
Recommendation 10			1	1		2						1

Note: 3T = Canada's three territories (YK, NT, NU).

Across all of Canada's law societies, our team identified a total of 121 initiatives that align with at least one targeted recommendation from Phase I (Cadieux et al., 2022). It is important to note that the data collected do not reflect the scale of the initiatives, but only their number.

The data presented in the previous table show that all of Canada's law societies have at least one initiative that aligns with the 3rd and 5th recommendations, i.e., (3) Improve the continuing professional development (CPD) of legal professionals; and (5) Implement actions aimed at destigmatizing mental health issues in the legal profession.

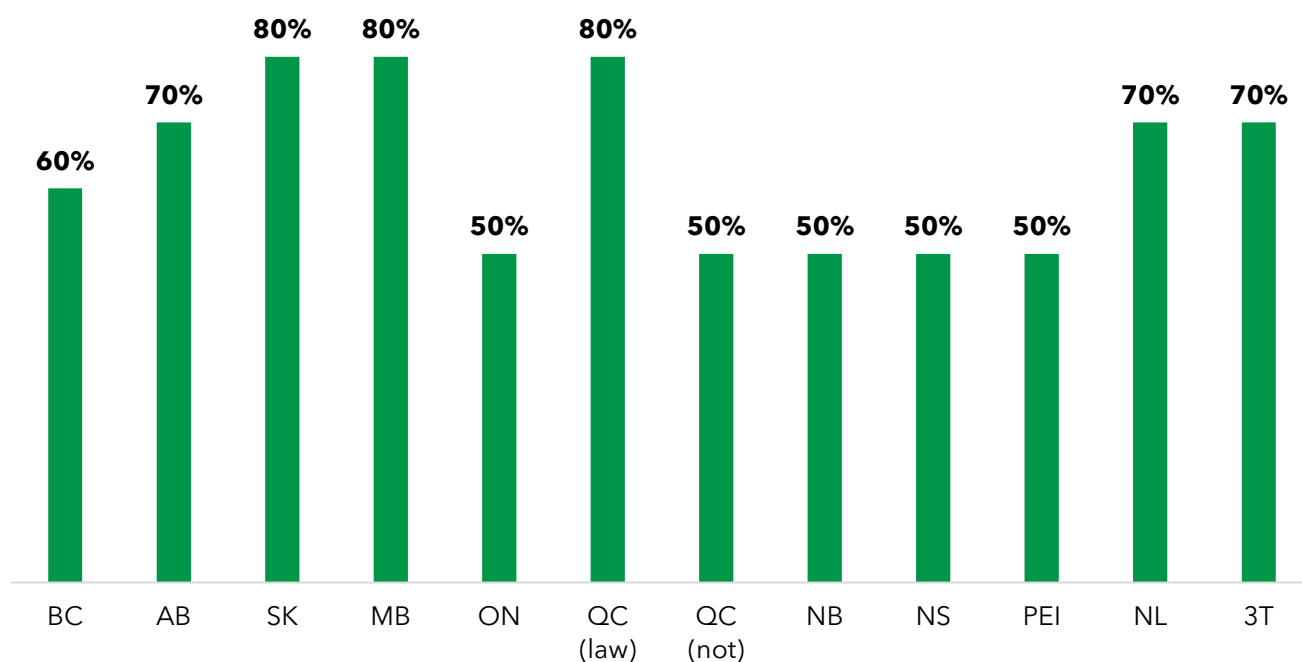
We also note that the Nova Scotia Barristers' Society is the only law society to have implemented an initiative that aligns with Recommendation 9, i.e., to develop a culture of measurement. The initiative in question can be summarized as follows: *The Lawyer Assistance Program Committee is currently reaching out to law firms to gather information on the wellness of their legal professionals, with a view to developing strategies to assist them.*

In terms of the number of law society initiatives for a given recommendation, the Law Society of British Columbia stands out, with no fewer than six (6) initiatives aligned with Recommendation 5 from Phase I and eight (8) initiatives aligned with Recommendation 6. i.e., (5) implement actions to destigmatize mental health issues in the profession; and (6) improve access to health and wellness support resources and break down barriers that limit access to these resources.

From another point of view, the Law Society of Saskatchewan's, the Law Society of Manitoba's and the *Barreau du Québec's* initiatives align with the greatest number of targeted Phase I recommendations (Cadieux et al., 2022), eight out of ten (80%). Graph 8 shows the penetration rate of Phase I recommendations by law society. Each initiative aligned with a targeted recommendation represents 10%.

Graph 8

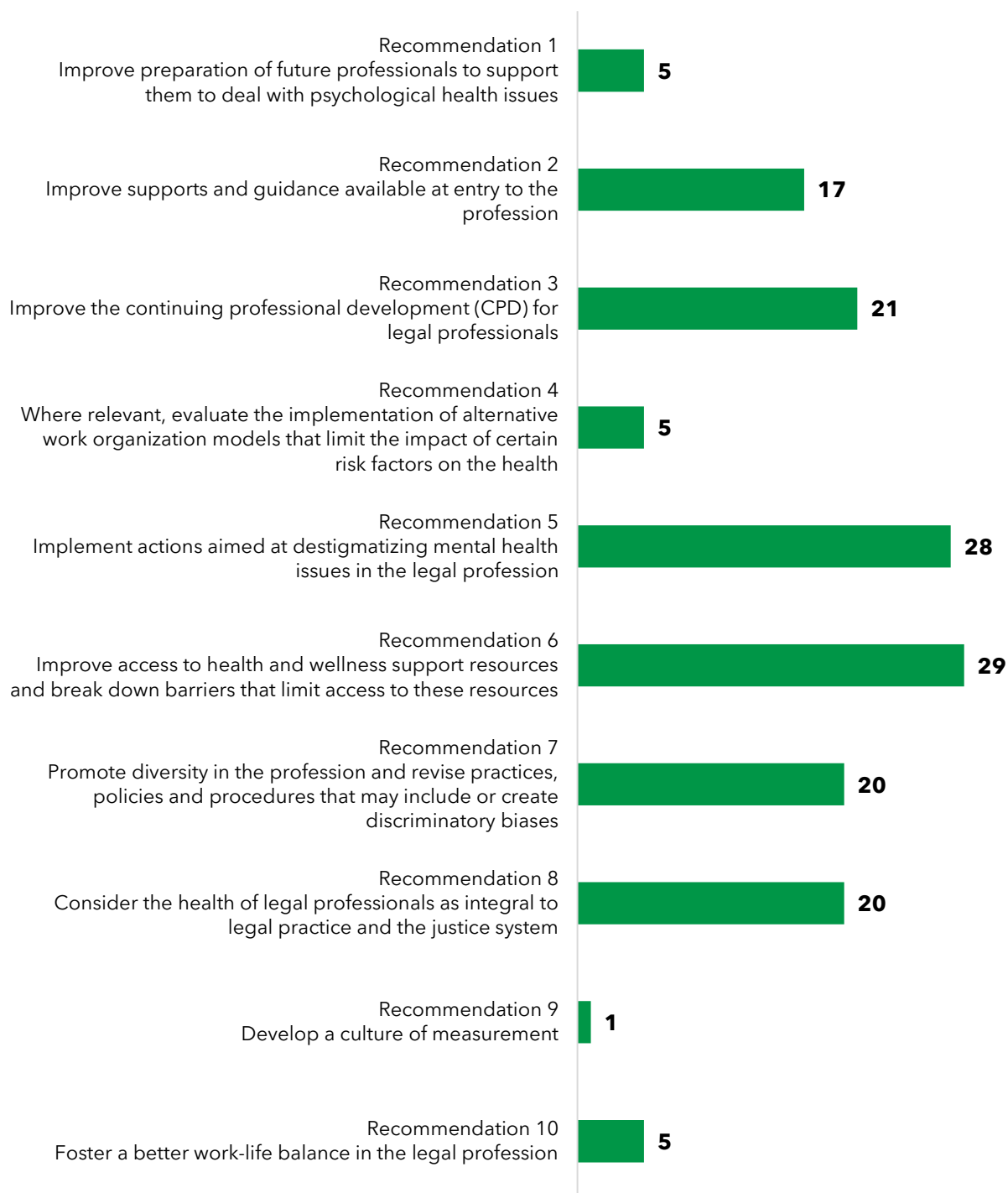
Penetration rate of targeted Phase I recommendations by law society or *Chambre des notaires du Québec*, based on an analysis of initiatives implemented by law societies in Canada (in %)



Finally, Graph 9 shows the number of initiatives listed and aligned with Phase I recommendations (Cadieux et al., 2022) for all law societies in Canada. It is worth noting that law societies heavily favoured initiatives that align with Recommendation 5 with a total of 28 initiatives across the country, as well as Recommendation 6 with 29 initiatives.

Graph 9

Number of listed initiatives that align with at least one targeted recommendation from Phase I (Cadieux et al., 2022) for all law societies and the *Chambre des notaires du Québec*



Conversely, the recommendations least favoured by law societies are Recommendation 1 ($n = 5$), Recommendation 4 ($n = 5$), Recommendation 9 ($n = 1$) and Recommendation 10 ($n = 5$). This observation facilitates the identification of potential avenues for future initiatives.

SOME EXAMPLES OF INITIATIVES

Examples of initiatives implemented by various law societies across Canada are presented in Table 9. They are each listed under the secondary Phase I recommendation with which they align (Cadieux et al., 2022). It should be noted that these initiatives are those that most closely align with Phase I recommendations, out of all the initiatives identified during the course of this project. However, other law societies have implemented initiatives similar to those listed below. The purpose of this list is not to highlight which law societies have implemented the best initiatives, but rather to inspire for other law societies to do the same.

Table 9

Examples of initiatives ranked by secondary recommendation from Phase I
(Cadieux et al., 2022)

RECOMMENDATION 1 | IMPROVE PREPARATION OF FUTURE LEGAL PROFESSIONALS TO SUPPORT THEM TO DEAL WITH PSYCHOLOGICAL HEALTH ISSUES

1.2 Include critical and transversal skills in the education of legal professionals that will benefit them throughout their professional life

- Development of a sustainable practice course offered through the Bar Admission Program, incorporating mental health and wellness components. ([New Brunswick](#))

1.3 Promote healthy lifestyles, increase awareness about mental health issues and improve the ability of future professionals to reach out for help

- An agreement has been signed with the Programme d'aide aux membres du Barreau du Québec (PAMBA) to provide École du Barreau students and articling students with counselling and support for their psychological health and wellness. The École du Barreau keeps its action plan on student psychological health and well-being up to date, developed in collaboration with students. These actions include the addition of vignettes on suicide prevention and the well-being of students and articling students, as well as mindfulness training, which are available to students on the École du Barreau's website. ([Barreau du Québec](#))

RECOMMENDATION 2 | IMPROVE SUPPORT AND GUIDANCE AVAILABLE AT ENTRY TO THE PROFESSION

2.1 Create a professional integration plan (PIP)

- **Not a PIP per se, but relates to the corresponding recommendation:** The Law Society Mentorship Pilot Program for Articled Clerks - this new pilot program is designed to help articling students hone their skills in practice management and professional judgment and to promote improved collaboration between legal professionals. ([Law Society of Prince Edward Island](#))

2.2 Promote mentoring for those entering the profession

- The Law Society of Yukon has made practice consultants (through the Law Societies of British Columbia and Alberta) and mentoring programs (through the Law Society of Alberta) available to its members. The mentoring programs, Mentor Connect and Mentor Express, are designed to: improve the professionalism and success of legal professionals through the involvement of experienced legal advisors; help them achieve their career goals; and give a better work-life balance in their lives. ([Law Society of Yukon](#))
- The Law Society of Alberta offers variety of programs to help lawyers provide legal services to clients and develop their own legal careers. Program offerings include long-term matching of mentors and mentees, one-off mentoring and coaching sessions, group mentoring sessions and a specific program to match indigenous lawyers with indigenous law students and articling students. A service is also available to put lawyers or articling students in touch with more experienced lawyers for specific requests about law. ([Law Society of Alberta](#))

RECOMMENDATION 3 | IMPROVE THE CONTINUING PROFESSIONAL DEVELOPMENT (CPD) FOR LEGAL PROFESSIONALS

3.2 Better structure mandatory training hours for professionals

- The Law Society of Newfoundland and Labrador administers a mandatory continuing professional development program to ensure the competency and ongoing development of its members. A continuing professional development (CPD) course on wellness is mandatory. ([Law Society of Newfoundland and Labrador](#))

3.3 Develop training aligned with the risk factors

- Creating free or low-cost training courses for members on mental health topics, including stress management, anxiety and resilience. ([Barreau du Québec](#))
- Including wellness as an essential area of competence in the professional development profile of legal professionals working in Alberta. ([Law Society of Alberta](#))

3.4 Better structure mentoring programs and promote informal training

- Coach and Advisor Network (CAN): provides licensed legal professionals (lawyers and paralegals) with access to shorter-term, outcome-oriented relationships with Coaches and Advisors drawn from the professions. ([Law Society of Ontario](#))

RECOMMENDATION 4 | WHERE RELEVANT, EVALUATE THE IMPLEMENTATION OF ALTERNATIVE WORK ORGANIZATION MODELS THAT LIMIT THE IMPACT OF CERTAIN RISK FACTORS ON HEALTH

4.1 Review the organization of work

- The Law Society of Manitoba has incorporated best practices for ensuring healthy workplaces and for supporting staff wellness into its Practice Management Assessment Tool (linked to entity regulation). ([Law Society of Manitoba](#))

RECOMMENDATION 5 | IMPLEMENT ACTIONS AIMED AT DESTIGMATIZING MENTAL HEALTH ISSUES IN THE LEGAL PROFESSION

5.2 Develop a mental health awareness campaign/activities

- The Canadian Mental Health Association (CMHA)'s 70th annual Mental Health Week ran from May 3 to May 9, 2021, under the theme *#GetReal about how you feel*. The campaign recognized that it is difficult for people to manage their emotions when they are unsure of what they feel. The Law Society of Saskatchewan participated in the campaign through social media and a press release to help raise awareness about mental health. ([Law Society of Saskatchewan](#))

5.3 Where applicable, remove mental health disclosure from law society admission program applications

- Deleting the question on medical fitness to practice from the admission program application form. ([Law Society of British Columbia](#))
- In 2023, all questions related to mental health in all membership applications were removed. ([Law Society of Alberta](#))

5.4 Frame the ability of legal professionals to share mental health challenges with each other in a confidential way

- Organizing a three-part forum on mental health consisting in: (1) a panel dedicated to lawyers' lived experience of mental health and addiction; (2) a series of sessions designed to explore the opportunities and challenges for legal employers in dealing with these issues; and (3) an expert panel providing information on the mental health resources and supports available to lawyers. ([Law Society of British Columbia](#))

5.5 Where applicable, develop alternative discipline processes for professionals dealing with health issues

- Launching a pilot project for an Alternative Disciplinary Process (ADP) focusing on remediation and rehabilitation in cases where there is a link between a health condition and a conduct problem that has given rise to a complaint and subsequent investigation. A case will only be referred to the ADP if it is established that a health issue likely contributed to the conduct problem, that the lawyer could benefit from corrective interventions and that it would be in the public interest for the lawyer to take part in such interventions. The main features of the ADP are its voluntary nature, the fact that participation in the process poses no risk to the legal professional or the law society in question and the confidentiality guarantees associated with participation. The aim is to create a consent-based agreement, tailored to the lawyer's individual health and practice circumstances, that addresses both the conduct problem and the underlying health problem. ([Law Society of British Columbia](#))

5.7 Create a wellness section on law society, professional association and legal workplace websites

- A new Well-being Resource Centre has been added to the Law Society of Ontario's website, providing information on and access to a number of Law Society and community resources that support wellness within the liberal professions. ([Law Society of Ontario](#))

RECOMMENDATION 6 | IMPROVE ACCESS TO HEALTH AND WELLNESS SUPPORT RESOURCES AND BREAK DOWN BARRIERS THAT LIMIT ACCESS TO THESE RESOURCES

6.1 Promote the use of available resources and increase the willingness of professionals to seek help

- Collaborating with the province's law schools to improve information and communication on the availability of support resources for mental health and substance use issues within the profession so as to help students make a smoother transition to these support resources from what was provided to them during their legal studies. ([Law Society of British Columbia](#))
- Improving mental health communication strategies. Examples include: creating a dedicated web page showcasing the work of the Mental Health Task Force; coordinating a communications campaign for Mental Health Week; promoting resources for the profession; developing communications relating to mental health issues in the Benchers' Bulletin, E-brief and Notice to the Profession and using appropriate language relating to these issues; facilitating messages from successive Law Society presidents relating to mental health awareness; regularly reminding legal professionals about the importance of being mindful of health and stress, as well as about the availability of support services and other resources. ([Law Society of British Columbia](#))

6.2 Facilitate access to relevant resources according to the problems encountered

- In the fall of 2022, the Health & Wellness section of the Law Society of Manitoba's website was redesigned to highlight a more comprehensive menu of available supports, including a new Health & Wellness Resource Library that showcases resources available through the Law Society as well as its partner organizations in the legal community. ([Law Society of Manitoba](#))
- The Law Society of Manitoba works in partnership with the University of Manitoba Faculty of Law, the Manitoba Bar Association, Law(yer) Strong and Canadian Centre for Professional Legal Education (CPLED) to share resources and programs for lawyers, students and articling students. ([Law Society of Manitoba](#))

6.3 Where applicable, improve the perception of confidentiality to increase trust in the law society's lawyer/member assistance program

- Improving access to lawyer assistance programs (LAP and LifeWorks) by removing the need for members to log into LifeWorks using their Law Society's username and password, by posting information on access to these services on the Law Society's website in the right places and by highlighting this information in a number of additional communications and documents aimed at the profession. ([Law Society of British Columbia](#))
- The Association Professionnelle des Notaires du Québec (APNQ) has set up a service for notaries who are undergoing a professional transition (when entering or exiting the profession, or during their career) to guide them through the transition process and support them in the challenges they face. This service was previously offered by the *Chambre de notaires du Québec* through their *La Boussole* program, but it was deemed more appropriate for the APNQ to offer it to encourage its use among notaries (some of whom may view this type of service being offered by a regulatory body with suspicion). ([Chambre des notaires du Québec](#))

RECOMMENDATION 7 | PROMOTE DIVERSITY IN THE PROFESSION AND REVISE PRACTICES, POLICIES AND PROCEDURES THAT MAY INCLUDE OR CREATE DISCRIMINATORY BIASES

7.1 Develop a national diversity policy/strategy for the legal community

- The Indigenous Education and Action Committee (IEAC) works within the legal profession to advise, educate and advocate around reconciliation with the Indigenous Peoples of Newfoundland and Labrador, including in terms of implementing the Truth and Reconciliation Commission Calls to Action. The IEAC's responsibilities include, without limitation: working with Indigenous communities to access and promote Indigenous legal traditions and knowledge; educating the legal community, via continuing legal education and the bar admission course; gathering and promoting resources and tools to help ensure Indigenous cultural competency among members of the Law Society of Newfoundland and Labrador; involving Indigenous members of the Law Society in the work of the IEAC. ([Law Society of Newfoundland and Labrador](#))

7.3 Implement diversity management policies and proactive practices that promote inclusion in legal workplaces

- In 2021, the Equity & Access office focused on promoting the Equity Lens Toolkit to provide members with the framework and resources to create a diverse, inclusive and equitable workplace. The Equity & Access office delivered training on the toolkit to staff, the Board, committees and the general membership. The office responded to requests for training on the toolkit and unconscious bias from committees, firms, government departments, the public and law schools. ([Nova Scotia Barristers' Society](#))

RECOMMENDATION 8 | CONSIDER THE HEALTH OF LEGAL PROFESSIONALS AS INTEGRAL TO LEGAL PRACTICE AND THE JUSTICE SYSTEM

8.1 Include a permanent wellness component in strategic planning

- Implementing a revised strategic plan. The previous strategic plan aimed to improve mental health within the legal profession by: (a) finding ways to reduce the stigma of mental health problems; and (b) conducting an integrated mental health review of regulatory approaches to disciplinary matters and admissions. The current strategic plan aims to review regulatory processes to support and promote mental and physical health. ([Law Society of British Columbia](#))
- The Nova Scotia Barristers' Society has initiated a new strategic planning process, taking into account the report from the National Study on the Health and Wellness Determinants of Legal Professionals in Canada (Phase I), in order to define the pillars of this plan. ([Nova Scotia Barristers' Society](#))

8.2 Maintain an ongoing discussion and raise awareness about mental health in the legal profession

- In partnership with the Alberta Lawyers' Assistance Society (ASSIST), the Alberta Lawyers Indemnity Association and the Canadian Bar Association, Alberta Division, the Law Society of Alberta co-organized a virtual event that included an overview of the results of the recent national survey on the health and wellness of Canadian legal professionals (Phase I), as well as discussions with legal professionals who shared their experiences in dealing with mental health challenges and trying to reduce the stigma surrounding these challenges within the legal profession. It also included sessions with mental health professionals who provided information, tools and practical resources that could be taken away from the event and incorporated into lawyers' daily lives and legal practices. ([Law Society of Alberta](#))

8.3 Prevent violence and incivility in the legal profession (see also 4.1 and 7.3)

- A mandatory element of law firm regulation is the use of an online practice management assessment tool through which law firms are asked to self-assess their policies and procedures to help them identify gaps, manage risks and improve practice management. Resources selected according to the firm's needs are then available in the assessment tool report. One of the assessment areas on which the tool focuses is wellness, including topics such as time and workload management, civility, alternative billing structures and service delivery models, equity, diversity and inclusion, hiring and retention, accessibility, discrimination and harassment, and truth and reconciliation. Law firms are also encouraged to consider the wellness of their lawyers and staff by considering a number of recommended practices. It is recognized that the ability to provide competent legal services can be affected by a person's well-being. Substance use, mental and physical health problems and stress are often overlooked in the legal profession. Law firms are therefore encouraged to consider ways of creating a safe environment for disclosing and treating substance use, mental and physical health, or stress problems and of promoting a healthy work-life balance. ([Law Society of Saskatchewan](#))

8.4 Promote positive coping strategies (see also 10.2)

- An upcoming awareness campaign called "Humanisons la pratique" [Humanizing the Practice of Law] will emphasize the fact that lawyers who are both psychologically and physically well provide better services to their clients, and therefore better protection for the public. To achieve this improved state of wellness within the profession, it is important to promote collegiality among legal professionals, sound personal and professional lifestyle habits and healthy practices regarding the right to disconnect. ([Barreau du Québec](#))

RECOMMENDATION 9 | DEVELOP A CULTURE OF MEASUREMENT

9.1 Collect data

- The Lawyer Assistance Program Committee is currently reaching out to law firms to gather information on the wellness of their legal professionals, with a view to developing strategies to assist these legal professionals. ([Nova Scotia Barristers' Society](#))

RECOMMENDATION 10 | FOSTER A BETTER WORK-LIFE BALANCE IN THE LEGAL PROFESSION

10.1 Implement work-life balance programs

- Updating and signing a new Declaration on Work-life Balance in collaboration with the Chief Justices of all Quebec courts. (Barreau du Québec)

1.7 PHASE II RECOMMENDATIONS

The many initiatives put in place by law societies across Canada to support the wellness of legal professionals should be applauded. These initiatives demonstrate significant awareness of the unique challenges faced by legal professionals in demanding contexts. Recognizing and specifically addressing these issues demonstrates a commendable commitment by these law societies to improving the mental health and wellness of legal professionals, thereby ensuring that legal practice is not only sustainable, but also fulfilling. These initiatives are paving the way towards the future of the legal profession in Canada.

As part of Phase II of this national research project, three recommendations were made for each report concerning legal practitioners in a given province, the territories or practitioners affiliated with a separate professional order (*Chambre des notaires du Québec*). In each case, these recommendations have been drafted with the following considerations in mind: (1) the results stemming from the priority themes analyzed in the report in question; (2) the solutions put forward by Phase II participants in the province or territories; (3) the identified initiatives being implemented by the law society in question; and (4) the coverage rate of the various Phase I recommendations by these initiatives.

Table 10 shows the three recommendations made in each of the Phase II reports.

Table 10
Recommendations from Phase II reports

BRITISH COLUMBIA REPORT	
Recommendation 1	Improve the support and guidance available when entering the profession
Recommendation 2	Evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health
Recommendation 3	Promoting a better work-life balance in the legal profession
ALBERTA REPORT	
Recommendation 1	Improve the preparation of future legal professionals so as to protect their psychological health
Recommendation 2	Implement measures to increase access to mentorship opportunities, including female mentorship
Recommendation 3	Evaluate alternative methods of work organization to reduce exposure to certain risk factors

SASKATCHEWAN REPORT

- Recommendation 1** Improve access to, and quality of, the mentorship experience for young legal professionals
- Recommendation 2** Develop a culture of measurement
- Recommendation 3** Set up awareness-raising activities to promote a better work-life balance among legal professionals

MANITOBA REPORT

- Recommendation 1** Focus on risk factors that compromise the mental and physical health of legal professionals, including billable-hour targets
- Recommendation 2** Set up actions to better support legal professionals in dealing with the emotional demands they are exposed to
- Recommendation 3** Develop a culture of measurement

ONTARIO REPORT

- Recommendation 1** Improve the preparation of future legal professionals to support them to deal with psychological health issues
- Recommendation 2** Prioritize action on risk factors that compromise the mental and physical health of legal professionals, including billable-hour targets
- Recommendation 3** Prevent violence, incivility and their consequences in legal environments

QUEBEC LAWYERS' REPORT

- Recommendation 1** Evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health
- Recommendation 2** Improve the support and guidance available when entering the profession
- Recommendation 3** Develop a culture of measurement

CHAMBRE DES NOTAIRES DU QUÉBEC REPORT

- | | |
|-------------------------|--|
| Recommendation 1 | Better prepare notaries for the high emotional demands of the practice |
| Recommendation 2 | Evaluate the implementation of alternative work organization models that limit the impact of certain health risk factors on and promote a better work-life balance |
| Recommendation 3 | Improve notaries' preparation for professional inspections and ensure greater uniformity of practice among inspectors |

NEW BRUNSWICK REPORT

- | | |
|-------------------------|---|
| Recommendation 1 | Evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health |
| Recommendation 2 | Strengthen the practical aspect of training to better prepare legal professionals for the challenges they will face in their professional lives |
| Recommendation 3 | Implement a professional integration program |

NOVA SCOTIA REPORT

- | | |
|-------------------------|---|
| Recommendation 1 | Improve the preparation, support and guidance available to future legal professionals to address psychological health issues upon entry into the profession |
| Recommendation 2 | Prevent all forms of violence and incivility in the relationships between legal professionals within the legal community |
| Recommendation 3 | Evaluate the implementation of alternative work organization models that limit the impact of certain health risk factors on health and promote a better work-life balance |

PRINCE EDWARD ISLAND REPORT

Recommendation 1	Evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health
Recommendation 2	Improve the preparation of future legal professionals to support them to deal with psychological health issues
Recommendation 3	Improve access to health and wellness support resources and break down barriers that limit access to these resources

NEWFOUNDLAND AND LABRADOR REPORT

Recommendation 1	Develop a culture of measurement
Recommendation 2	Improve the support and guidance available when entering the profession
Recommendation 3	Better prevent the consequences associated with long-term, recurrent exposure to high emotional demands

TERRITORIES REPORT

Recommendation 1	Evaluate the implementation of alternative work organization models that limit the impact of certain risk factors on health
Recommendation 2	Promote diversity representation in Canada's territories
Recommendation 3	Promote healthy coping strategies and increase support for legal professionals working in Canada's territories, often in isolated conditions

In light of the recommendations listed in the previous table, three recommendations appear most frequently in Phase II reports:

- **Recommendation A:** Improve the preparation of future legal professionals to support them to deal with psychological health issues (AB, ON, PEI);
- **Recommendation B:** Improve the preparation of new legal professionals and provide them support to deal with psychological health issues (BC, QC(law), NS, NL);
- **Recommendation C:** Evaluate the implementation of alternative work organization models that limit the impact of certain health risk factors, including billable hours, and that promote a better work-life balance (BC, QC(law), QC(not), NB, NS, PEI, Territories).

These recommendations focus on three specific themes: (1) preparation of future legal professionals; (2) support and guidance upon entry into the profession; and (3) alternative work organization models. These recommendations are outlined below.

RECOMMENDATION A

IMPROVE THE PREPARATION OF FUTURE LEGAL PROFESSIONALS TO SUPPORT THEM TO DEAL WITH PSYCHOLOGICAL HEALTH ISSUES

This first recommendation is identical to the first recommendation made in Phase I (Cadieux et al., 2022). When comparing the solutions put forward by participants (see section 1.5, Theme 3) to the initiatives implemented by the various law societies across Canada, it seems appropriate to reiterate the importance of improving the preparation of future legal professionals in order to protect their psychological health.

Entering the legal profession presents considerable challenges, particularly in terms of working conditions, work-life balance and stress management strategies for maintaining a healthy emotional balance. Legal professionals appear to be particularly vulnerable when they first enter the profession. On the one hand, they are less equipped than their more experienced counterparts to deal with the day-to-day stressors inherent in the practice of law. On the other hand, they are often simultaneously exposed to professional and personal pressures, such as the purchase of a first home, job insecurity, or welcoming a child into the family unit.

To mitigate these challenges, it is recommended that initiatives be implemented to better prepare future legal professionals for entry into the legal profession. This includes integrating transversal skills and competencies that are critical to professional life into university curricula. Skills such as stress management, time management, self-awareness, conflict resolution, emotional self-regulation and emotional intelligence can be taught as early as in law school to provide future lawyers with valuable tools for managing their future professional demands. In recent years, some universities have incorporated these skills into their curricula. For example, in 2024, the Université de Sherbrooke Faculty of Law incorporated coursework into its curricula awarding one credit per year of training, for a total of three credits over the course of a three-year program, with the aim of introducing themes and skills that are essential to ensuring sustainable, healthy professional practice. These themes cover various types of professional practices, strategies for maintaining work-life balance, psychological detachment (the ability to detach from work after hours), assertiveness (the ability to set limits) and the importance of seeking help when needed. Curriculum courses such as these also help to increase the likelihood that future legal professionals will be able to reach out for help should they feel the need to. These cross-disciplinary competencies are hard to develop and require practice. Consequently, by extending the development of these competencies over the course of a student's entire academic career, university programs establish conditions favourable to the gradual development and incorporation of these key competencies.

Beyond contributing to the development of these key, health-focused competencies, this training could also serve as a lever for valuing the importance of different types of professional practice and for laying the foundations for future legal professionals' career planning. This includes business skills for future legal professionals who would like to start their own practice. Moreover, by valuing diverse career paths, law schools would facilitate graduates' transition into the job market. They would also take an additional step towards a much-needed culture change in a profession that has traditionally valued certain career paths (e.g., working within a large firm in the private sector), to the detriment of alternative paths despite their importance for society. Furthermore, these alternative career paths may better align with the profiles of law students who do not recognize themselves on traditionally valued paths and who struggle with stereotypes or preconceived ideas stemming from certain less valued career choices.

Finally, many university graduates entering the job market are caught off guard by the gap between what they learned in the classroom and the reality of professional practice. The adoption of experience-based teaching approaches incorporating theoretical knowledge with practical know-how helps to narrow this gap. In recent years, several universities in Canada and around the world have established legal clinics to bridge that divide. Such university-affiliated clinics help law students develop practical skills by providing them with opportunities to apply theoretical knowledge to real-world situations. Needless to say, these initiatives are promising and warrant being expanded to other law programs across the country.

RECOMMENDATION B
IMPROVE THE PREPARATION OF FUTURE LEGAL PROFESSIONALS AND PROVIDE THEM SUPPORT TO DEAL WITH PSYCHOLOGICAL HEALTH ISSUES

This second recommendation relates precisely to the second recommendation made in Phase I (Cadieux et al., 2022), which was also reiterated in Phase II. The solutions proposed by participants for the third theme (see section 1.5) concerning training and professional development are in line with this recommendation, as is the fifth theme dealing with workplace support.

Entering professional life entails a host of challenges. It involves integrating knowledge acquired during training and developing work tools to improve day-to-day work processes and organization, etc. Every day involves something new that young legal professionals might feel ill-equipped to handle. Without previous experience to call on, these legal professionals have a harder time putting the challenges they face into perspective and managing day-to-day stressors compared to their more experienced colleagues. At the same time, these early years are crucial for the future, as they help shape how newly-minted legal professionals perceive the profession and envision their career development, while laying a solid foundation for legal practice. Unfortunately, many freshly-minted legal professionals are particularly vulnerable during this time, which can have serious consequences on their mental health and on their feelings towards the profession; as such, without real support, they may consider leaving professional practice entirely. In this context, it is vital to prioritize the support and guidance available to legal professionals upon entering the profession.

Adequate support at the beginning of their career is crucial not only to protect the mental health of young lawyers, but also to enable them to develop effective working methods. This recommendation underscores the importance of promoting the mentorship of those entering the profession. To support its efforts to promote these programs, the Canadian Bar Association could work with practice settings to understand the challenges that limit people from taking advantage of mentorship offerings in professional settings. For practice settings, this recommendation means considering the importance assigned to mentorship in the organization's day-to-day operations. Mentoring programs within law firms can also offer valuable support to legal professionals in the early stages of their careers, 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.

Regrettably, while several mentorship programs exist across the country, a great many legal professionals who are entering professional practice still do not have access to them. Note, furthermore, that such programs are not mandatory. For those who do have access to a mentoring program, the benefits derived from the experience depend largely on the quality of the mentoring

relationship. At present, there are still many obstacles that limit access to mentoring across the country or affect the quality of the mentor/mentee relationship. Among the hurdles are the work overload present in many legal environments; the mental health of the mentors themselves, with one in two legal professionals in the country experiencing psychological distress; business models based on billable hours, where time is money; and ultimately, mentor training.

At the same time, support requires increased availability for legal professionals during the early years of their practice. Young legal professionals need to be able to access quality support when they enter the profession, be it through their workplace (e.g., through mentoring), their law society (e.g., through activities designed for recent calls) or various professional associations (e.g., through peer support committees). This is an important aspect of protecting their mental health and is likely to strengthen their commitment to the profession and ultimately influence their intention to remain in it throughout their working lives. It is also recommended that peer support committees be created. These committees would provide a platform for young legal professionals to share their experiences and challenges, reinforcing a support network that is essential to their professional wellness. In addition, organizing activities that are tailored to young legal professionals, such as workshops, seminars and discussion groups, could facilitate networking and knowledge-sharing among them while alleviating professional isolation. These initiatives would help build a close-knit professional community in which young legal professionals feel valued and understood.

This recommendation also stresses the importance of reviewing the onboarding practices aimed at new legal professionals, particularly during the first two years of practice, in terms of work organization, available supervision and training and performance management expectations. Once a law student has graduated from law school, regulators have little control over the environment in which they will end up working. Therefore, it is recommended that a professional integration plan (PIP) be implemented, such as suggested in Phase I of this project (Cadieux et al., 2022). Complemented by a competency grid framing the conditions of practice during the first two years of professional life, such a plan would offer better protection for new legal professionals in certain environments where they may receive less supervision and support, thus facilitating the gradual acquisition of the know-how essential to the practice of the profession.

Last but not least, regular assessments regarding the needs and wellness of new legal professionals should be carried out through surveys and studies so that institutions could adjust their support and training programs accordingly. These measures would help ensure that interventions are properly aligned with the actual needs of new legal professionals.

RECOMMENDATION C
EVALUATE THE IMPLEMENTATION OF ALTERNATIVE WORK ORGANIZATION
MODELS THAT LIMIT THE IMPACT OF CERTAIN HEALTH RISK FACTORS, INCLUDING
BILLABLE HOURS, AND THAT PROMOTE A BETTER WORK-LIFE BALANCE

This last recommendation repeats both the fourth recommendation issued in Phase I (Cadieux et al., 2022) concerning work organization and billable hours and also the tenth recommendation concerning work-life balance. The solutions proposed by participants for the first and second themes (see section 1.5) are in line with this recommendation.

The analyses carried out as part of Phase I of the national project (Cadieux et al., 2022) are unequivocal: it is imperative to focus on the risk factors that compromise the health of legal

professionals. While resources may be important to daily work, their contribution remains largely marginal, if not insignificant, compared to that of risk factors for understanding the mental health of legal professionals. Among the most important risk factors are oppressive workloads, long working hours (which are exacerbated in billable-hour contexts), high emotional demands (which are likely to lead to vicarious trauma) and work-life conflict arising from these stressors. As such, reviewing the organization of work and implementing actions aimed at reducing these stressors are crucial to promoting a healthy and productive work environment.

Widely used in the private sector, the billable-hours model is based on the principle that legal professionals must record a minimum number of hours of work that are directly attributable to managing actual client cases. This method, while beneficial for quantifying work and ensuring the profitability of the services being provided, subjects legal professionals – particularly those in the earlier stages of their career – to a number of psychological and physical stressors. When used as a measure of productivity, billable-hour targets drive legal professionals to extend their working time, often to the detriment of their health. Indeed, the pressure to meet high billable-hour targets often pushes legal professionals to increase their working hours by extending their workday, which in turn reduces the time they can devote to recuperation or their personal life. This imbalance is a major source of burnout, psychological distress and long-term health problems among legal professionals (Cadieux et al., 2022).

For legal professionals who are just starting out in the profession, this system can be particularly taxing, as it puts them under immense pressure to extend their billable time. Moreover, this model can hinder professional development by restricting the amount of time that can be devoted to learning opportunities or working on a wider range of projects that, while not immediately billable, are crucial for full professional growth. Long-term consequences include deteriorated mental health and diminished job satisfaction, which can also affect talent retention within organizations and ultimately within the profession as a whole.

At the same time, performance demands exert considerable pressure on legal professionals, driving them to work more hours to meet their billable-hour targets. In addition to performance requirements, the billable-hour model exacerbates work overload. Legal professionals find themselves managing several files simultaneously, often with tight deadlines, leading to chronic fatigue. In addition to the overload and job insecurity likely to be caused by this kind of billing system, there are also a number of indirect effects. Legal professionals are expected to maximize every moment of their workday, leaving less time for equally important but less urgent activities, such as sharing tools with colleagues and mentoring.

According to the data collected during Phase I, time recorded as billable hours represents 67.9% of the total number of hours worked. The remaining percentage is devoted to other responsibilities that legal professionals are still expected to fulfill within this work model, such as firm involvement, pro bono cases and mentoring activities. Based on these numbers, a legal professional with an annual billable-hour target of 1,800 hours would have to log approximately 35 billable hours per week, which represents approximately 51 work hours per week (based on a 52-week work year), in order to reach their target while fulfilling all their other responsibilities that do not count towards billable hours. If they take a vacation or time off during the year, the number of hours they are required to work per week must obviously increase accordingly to compensate for the vacation or time off. In this regard, the data collected in Phase I of this project show that when the threshold of 1,800 billable hours per year is exceeded, it seriously compromises the physical and mental health of legal professionals and impedes their ability to maintain a healthy work-life balance (Cadieux et al., 2022). Moreover, working

in excess of 50 hours per week can have harmful repercussions on the health of legal professionals (Cadieux & Marchand, 2015).

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. Considering the direct and indirect detrimental effects of billable hours not only on the health of legal professionals, but also on the sustainability of their practice within the profession, it is recommended that alternative business models be examined—business models that are likely to support and positively stimulate the performance of legal professionals while protecting their health and, ultimately, their affective commitment to the profession. 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 hours at 1,800 and considering alternative billing mechanisms that focus on meeting client expectations in terms of added value rather than time spent (NYBA, 2021). In fact, the report published in the United States speaks volumes about the dangers of billable hours combined with unrealistic deadlines and customer demands, which significantly undermine the ability of professionals to take vacations or time off.

When it comes to legal professionals in the early stages of their careers, it is recommended that organizations implement a tiered phase-in approach to billable hours that reflects the individual's experience and that billable-hour targets not be imposed during the first two years of practice.

At the same time, the overexposure of certain legal practitioners to stressors such as recurring emotional demands underscores the importance of assessing the potential implementation of alternative work models that would reduce the pressure on legal professionals. As such, organizations should avoid imposing billable-hour models on legal professionals working in areas of practice that are highly exposed to emotional demands. Overexposure to such demands and difficult content is likely to lead to vicarious trauma and, in turn, to emotional exhaustion if adequate support is not provided.

Looking at things from a different angle, many legal professionals work in silos, a system that hinders collaboration and knowledge-sharing. Yet teamwork is fundamental not only for providing close peer support, but also for spreading out work-related health risks in a fair and equitable manner. For example, a better distribution of workloads and emotionally demanding cases can reduce the amount of pressure that is placed on legal professionals, which would help alleviate their day-to-day stress. It is vital to adopt organizational models that focus not only on economic performance, but also on the wellness of legal professionals.

Changing how work is organized also involves alleviating the sense of isolation that many legal professionals feel. Creating work environments built on shared responsibility and mutual support would create a more balanced professional culture, one in which mutual help and collegiality are recognized and promoted as fundamental workplace values that help people feel supported and valued.

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

In summary, the overexposure of certain legal practitioners to stressors such as recurring emotional demands, as well as the deleterious effects of business models focused on billable hours, underscore the importance of assessing the potential implementation of alternative work models that would reduce the pressure on legal professionals. This includes considering alternatives to the traditional billable-hours model and assessing the impact of teamwork and remote work models, including hybrid and collaborative work models. Such alternative work models and accommodations would also facilitate a better work-life balance while supporting productivity. Such initiatives would not only be beneficial for the wellness of legal professionals, but would also positively transform the professional culture as a whole. By changing these practices, the legal sector can ensure that it remains an attractive and supportive environment for all its members and reinforce the sustainability and effectiveness of legal practice. This would, in turn, promote positive results for legal professionals and legal organizations as well as the general public.

THE NEXT STEPS...

Evaluation is a fundamental pillar in any process designed to measure the progress and effectiveness of undertaken actions. This approach is particularly important in a law school context. The constant evolution of the legal world and the challenges inherent in the practice of law call for ongoing reflection on how these institutions prepare their students to meet the challenges of legal practice. One of the first steps is to measure the impact of changes to law school training programs and structure. This makes it possible to determine whether these changes have led to a significant improvement in the training and preparation of future legal professionals to deal with mental health issues. However, it is just as crucial to look beyond the numbers to assess practitioners' perceptions. Their feedback and stories can provide valuable insights into various aspects of legal professionals' academic and professional experience.

Regulatory frameworks also play a critical role in improving health and wellness in the legal profession. Regulators have a responsibility to deconstruct the often unspoken link between legal professionals' health and their performance. All too often, the competitive culture and rigorous demands of legal practice can have a detrimental effect on the wellness of legal professionals.

To address this situation, widespread reform is needed. This means ensuring a more gradual integration of graduates into the legal profession by implementing support and mentoring programs for new legal professionals to help them deal with mental health issues in their practice. In addition, it is crucial to set limits on certain workplace practices that can be detrimental to the mental health of legal professionals, such as unreasonable workloads and work hours – including billable hours – and the constant pressure to perform.

Regulatory bodies also have an important role to play in implementing periodic surveys of legal professionals to measure their stress (and distress) levels and to gauge the effectiveness of initiatives put in place to improve wellness within the profession.

In conclusion, ongoing evaluation of law schools and reform of the regulatory framework and legal workplaces are essential to make sure that they effectively prepare future legal professionals while ensuring their health and wellness once they start practising. This requires a holistic approach, integrating both objective data and subjective feedback, while adopting concrete and ongoing measures to promote the healthy and sustainable practice of law in Canada, where wellness remains a constant top priority.

1.8 GLOSSARY OF TERMS USED IN PHASE II

(Affective) commitment to the profession	Corresponds to the degree of identification and emotional attachment a professional has with his or her profession (Meyer et al., 1993). The more affectively committed a professional is, the more they become involved in their profession, identify with its objectives and wish to remain part of it (Morrow & Wirth, 1989).
Anxiety (anxiety symptoms)	Refers to a disorder characterized by a persistent and excessive worry about a number of different things (Anxiety & Depression Association of America, 2021).
Assertiveness (ability to set limits)	Confidence in interpersonal relationships, manifested by the ability to express emotions spontaneously (Osborn & Harris, 1975) and the ability to set limits by respecting one's rights, thoughts and feelings without denying those of others (Alberti & Emmons, 1986).
AUDIT-10	Measurement scale that scores alcohol consumption (drinking) habits. The AUDIT-10 questionnaire is made up of three groups of questions focusing on the extent of use and symptoms of dependence, or use classified as harmful or hazardous (Babor et al., 2001).
Autonomy	Refers to "organizationally mediated possibilities for workers to make decisions about their work" (Karasek et al., 1998).
Billable hours	Refers to "refers to the number of work hours that a professional formally charges a client for professional services" (Cadieux et al., 2022, p. 102).
Billable hours (theme)	Priority theme. Includes elements relating to billable hours and performance pressure to meet billable-hour targets.
Burnout	Refers to "the degree of physical and psychological fatigue and exhaustion that is perceived by the person as related to his/her work" (Kristensen et al., 2005, p. 197).
Career opportunities	Refers to employees' perception of the extent to which job assignments and opportunities that match their interests and career goals are available within their current organization (Kraimer et al., 2011).
Consistency of values	Refers to the congruence between a professional's individual values and the values of the organization in which he or she works (Siegal & McDonald, 2004).
Constraint (risk factor)	Constraints are "risk factors (such as work overload, intense emotional demands or lack of experience) that can affect mental health" (Cadieux et al., 2022, p. 64).
Coping strategies and lifestyle	Priority theme. Includes healthy lifestyle habits (e.g., proper diet, exercise and sleep quality), unhealthy lifestyle habits (e.g., addictions) and coping strategies.
Depression (depressive symptoms)	Refers to a mood disorder characterized by feelings of sadness, loss of interest or pleasure, feelings of guilt or low self-esteem, disturbed sleep or appetite, fatigue and concentration problems. In its most severe form, depression can lead to suicide (Beck & Alford, 2009).

Emotional demands	Refers to “aspects of the job that require sustained emotional effort because of interactional contact with clients” (de Jonge & Dormann, 2003).
Fear of starting a family	Refers to “an apprehension by a professional who wishes to start a family but fears the consequences of this decision on their employment or future career opportunities due to a perceived incompatibility between the job and the requirements of parenthood” (Cadieux et al., 2022, p. 156).
Health	Refers to “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (WHO, 1946).
Intention to leave the profession	Refers to specific thoughts that reflect a professional’s desire to leave and/or change his or her profession. Even though this intention does not systematically result in professionals actually leaving the profession, the fact remains that it often precedes their departure (Blau, 2007).
Job insecurity	Refers to a “perceived threat to the continuity and stability of employment as it is currently experienced” (Shoss, 2017, p. 1914).
Lack of resources	Refers to “extent to which the employees have all materials, equipment, facts, information, support and time in order to perform their job in a professional manner” (Kontogiorghe et al., 2005, p. 197).
Long work hours (≥ 50 h/week)	Working long hours, i.e., 50 hours or more per week.
Perceived stress	Refers to “a particular relationship between the person and the environment that is appraised by the person as taxing or exceeding his or her resources and endangering his or her well-being” (Folkman & Lazarus, 1984, p. 19).
Pressure to perform	Refers to the degree to which an employee is required to invest intelligence, experience, energy and time in the performance of contractual work (Karasek, 1979; Katz & Kahn, 1966).
Billable hour pressure	Refers to the degree to which an employee is required to invest intelligence, experience, energy and time (Karasek, 1979; Katz & Kahn, 1966) in order to meet billable-hour targets.
Professional inspection stressor	Measure developed to assess professionals’ feelings about having to expose the details of their practices to an inspector and their fears about the possibility of non-compliance issues being identified during the inspection (Cadieux et al., 2022, p. 298).
Protection factor	See <i>Resources</i> .
Psychological detachment	Refers to the ability to mentally disengage from work in non-work time (Sonnentag and Schiffner, 2015). 72).
Psychological distress	Refers to “an unpleasant subjective state that combines a set of physical, psychological and behavioural symptoms which cannot be attributed to a specific pathology or disease. These symptoms, such as fatigue, irritability, concentration problems, anxiety or insomnia, are sometimes similar to depression and sometimes to exhaustion. Psychological distress” (Cadieux et al., 2022, p. 27).

Qualitative overload	Refers to “having to deal with role ambiguity and/or conflicting roles” (Janssen, 2001).
Quantitative overload	Refers to “the degree to which employees are required to work fast and hard and have much work to do in a short time, or permanently have a great deal of work to do” (Janssen, 2001).
Recognition	Refers to “the appreciation rendered to an employee for their work and letting an employee know that their work is valued” (Shonhiwa, 2017, p. 581)
Regulated profession	Refers to “a profession whose title and professional practice are regulated by law to protect the public. Only professionals holding a licence issued by the regulatory body (a professional order) may practise the profession in compliance with the rules set out in their code of conduct” (Cadieux et al., 2022, p. 291).
Regulation and practice review	Priority theme. Includes stressors related to the regulation of the profession and those related to professional inspections.
Resource (protective factor)	Resources are “protective factors (such as recognition at work, support from colleagues or a healthy lifestyle) that can protect the individual from developing or aggravating health problems” (Cadieux et al., 2022, p. 65).
Risk factor	See <i>Constraint</i> .
Skill utilization	Refers to the “ability to use and develop skills” (Theorell & Karasek, 1996).
Strategies for coping with stress	Various regulatory strategies to reduce stress (Cadieux et al., 2022).
Stressors linked to working in a regulated profession	Refers to “to stressors arising specifically from working in a regulated profession with ethical obligations and obligations imposed by the regulatory body (professional order) for maintaining the licence to practice the profession (e.g., mandatory training hours)” (Cadieux et al., 2022, p. 291).
Support from colleagues	Refers to “the employees’ impression of the possibility to obtain support from colleagues if one should need it” (Burr et al., 2019, p. 497).
Support from supervisor	Refers to “the employees’ impression of the possibility to obtain support from colleagues if one should need it” (Burr et al., 2019, p. 497).
Telework	Defined as working from home using information and communication technologies (smartphones, apps, software, videoconferencing, shared folders, etc.) (Saba et al., 2020).
Training and mentorship	Priority theme. Includes elements related to academic training, articling programs, entry into the profession, mentoring and professional development.
Vicarious traumas	Refers as “the natural, consequent behaviors and emotions resulting from knowledge about a traumatizing event experienced by [someone else]. It is the stress resulting from helping or wanting to help a traumatized or suffering person” (Figley, 1995, p. 10)
Work organization	Refers to “the way we design jobs and work systems, and the way we manage them” (Leka et al., 2003, p. 5).

Working conditions and cognitive demands	Priority theme. Includes constraints (risk factors) such as quantitative and qualitative overload, emotional demands and job insecurity, as well as resources (protective factors) such as support from colleagues, autonomy and consistency of values.
Work-life balance	Priority theme. Includes concepts of work-life conflict and fear of starting a family.
Work-life conflict	Refers to "a negative feeling caused by the spillover of work responsibilities into one's personal life or by the incompatibility of the different roles a person must fulfill in their life" (Cadieux et al., 2022, p. 156).
Workplace incivility	Refers to milder but nonetheless serious forms of psychological abuse. It shows a lack of consideration and respect for others and includes belittling, condescending, rudeness, doubting the other person's responsibility or showing little interest in their opinion (Cortina et al., 2001).
Workplace violence	Includes a range of behaviors intended to harm others such as verbal threats (expression of intent to cause harm), physical aggression (e.g., punching, spitting) and intimidation (Chapell & Di Martino, 2006; Setlack et al., 2021) ⁴ .

⁴ There is no single consistent definition of workplace incivility and violence in the scientific literature. Definitions abound and they differ from one author to the other.

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