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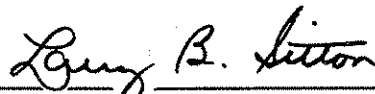
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Larry B. Sitton Chairman
Quality of Life Task Force

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Report and Recommendations of the Quality of Life Task Force

I. Introduction and Summary

The Quality of Life Task Force of the North Carolina Bar Association ("NCBA") was formed under the direction of President Larry McDevitt in July 1989 against a backdrop of national media and professional surveys indicating a severe level of dissatisfaction with law practice among some attorneys and lost dreams and idealism among many others. If it was determined that this trend is accurate for the North Carolina practitioner, consequences would be significant: problems of lawyer health and happiness and the effect upon service to clients and the public. The task assigned by McDevitt was more ambitious than that given to other bar groups which have investigated this issue — to analyze the elements of practice, find the root causes of both satisfaction and dissatisfaction, and effectuate an improvement through concrete action plans.

The Task Force, under the chairmanship of Larry Sitton, spent the first year defining the issues and assembling available national resources. Then it designed and implemented an in-depth career and life satisfaction survey of practicing North Carolina attorneys. These findings were addressed at a retreat of Bar leaders which led to the 87 recommendations reported herein.

The Task Force finds that while law practice in North Carolina remains challenging and meaningful for most, there are signs that it is exacting an increasingly high toll which is enough to drive some away from law altogether and create significant mental and physical problems for others. While the percentage of North Carolina lawyers satisfied with their lives is large in absolute terms (81%), this is disappointing when viewed relative to higher survey figures for other professionals and North Carolinians in general. Compared to lawyers in other states, North Carolina lawyers are no better off and no worse off. The least satisfied North Carolina lawyers are unmarried individuals, junior and senior associates in private practice and those working more than 250 hours per month. Older attorneys are the most satisfied. 23.6% would not become attorneys again and only 53.9% desire to remain in law practice for the remainder of their careers. 8 to 12% have symptoms of serious psychological or physical ill health. Over 24% of all attorneys in North Carolina reported having symptoms of depression (appetite loss, trouble sleeping, suicide thoughts, extreme lethargy) at least 3 times per month during the past year. More than 25% had anxiety symptoms (hands trembling, heart racing, hands clammy, faintness), and over 22% have been diagnosed as having ulcers, coronary artery disease, hypertension or other stress related disease.

The Task Force attempted to unravel and better understand the discrete causes of attorney satisfaction and dissatisfaction so as to fashion meaningful recommendations. The main causes are set forth in the Conclusions section of the Report. Although negative societal factors are not easily subject to change, such as the increased complexity and pace of life, litigiousness and the depersonalization of urbanized society, the Task Force found a surprisingly large number of factors that could be improved, often very easily. There can be a measurable improvement in the quality of the professional and personal lives of North Carolina attorneys and their families, while preserving the professional goal of providing high quality legal services in a timely manner at an affordable price.

II. Preliminary Issue Identification and Research

In July of 1989, 28 individuals representing a broad spectrum of geographic and practice environments were appointed as the Quality of Life Task Force. The initial, and most difficult, job for the Task Force was to define the scope of its work. After thorough discussion of the various issues and problems affecting the profession, an Issues Committee was formed to group issues required for action. These initial issues, although expanded, have served as a guide for the Task Force. This framework is set forth as Attachment A of this Report and evolved into the Conclusions at Section V of this Report.

The Other Bars Committee was charged with surveying other bar associations throughout the country to determine the existence of similar bar studies. The Committee received materials from 15 other bar associations. It appeared that Maryland was the only other bar association to have addressed quality of life issues in a comprehensive way. The other associations had addressed very specific issues, such as stress management, substance abuse, and the role of women in the profession, but had done little to identify underlying causes.

The Other Professions Committee was charged with contacting other professional associations in North Carolina and across the nation to see what other professions were doing on quality of life issues. This Committee found various levels of activity addressing certain specific symptoms of professional problems, such as stress management seminars, impaired professionals programs, and support groups. The North Carolina Medical Society has an extremely advanced physician counseling program which is among the best in the country. It includes a full-time staff, statutory authorization, including licensing fee funds for support, and counseling on a broad range of problems, from stress and emotional problems to drug or alcohol dependency. However, the Other Professions Committee concluded that no other professional association, in North Carolina or elsewhere, has analyzed the core elements relating to satisfaction and dissatisfaction within the profession. The Committee was not aware of any other professional organizations studying quality of professional life in such a comprehensive manner as the Task Force planned.

The Resources Committee was charged with gathering information on the various resources available in the area of quality of life. It collected data on employee assistance programs, preventive and intervention programs, and available professional services, as well as investigated speakers with expertise in this area for presentation at seminars and conventions. The Task Force met with attorney Ed Shea, former Chairman of the Maryland State Bar Association's Special Committee on Law Practice Quality, which had conducted Maryland's survey.

With the scope and orientation of the Task Force and its preliminary investigation completed, the Task Force moved to refine the issues, analyze and organize all collected data and address a few select and obvious needs that called for immediate action. The Task Force began to target development of concrete final recommendations, and to conduct a comprehensive survey of North Carolina attorneys.

The Resources Committee reviewed, analyzed and compiled the hundreds of articles, surveys and resources collected against the grid of issues previously identified. The committee's work became the Resource Guide which was completed in February 1991. An index to the Resource Guide is provided at Attachment B and the entire Resource Guide is available from the North Carolina Bar Association upon request.

Committees were formed to develop model leave policies for law firms, and rules for protected annual vacation for lawyers, particularly those subject to court calendar scheduling. Another committee was formed to develop a compendium of comprehensive support programs for lawyers, including mental health, employee assistance programs, practice problems, including malpractice and grievance counseling, practice management, substance abuse, and family crisis.

III. The Survey

A. Survey Strategy

Although a number of useful surveys were available, the Task Force became convinced that it had to conduct its own comprehensive study both to measure the overall state of professional and personal satisfaction of the North Carolina lawyer, and to probe the causative elements giving rise to that state. No survey had canvassed, in a statistically valid way, the full spectrum of practices, geographic settings, firm sizes, or urban/rural dichotomies across a state. None could be found which addressed the elements of satisfaction and dissatisfaction. There simply had been no comprehensive survey of North Carolina lawyers. It was felt that such a survey would yield a wealth of information that could be mined for years. A decision was made that the data would be made available to others for appropriate research purposes.

The Task Force also recognized that a survey was necessary to test the initial assumptions of the Task Force and provide a statistical basis for any recommendations it might make. A survey of this magnitude would not have occurred without the leadership of NCBA President George Mast, who made the survey a priority of NCBA time and resources. Funding for the survey was provided by the North Carolina Bar Foundation, IOLTA, and the NCBA Foundation Endowment.¹

B. Survey Design

Realizing that this undertaking was both ambitious and unique, the Survey Committee of the Task Force met 12 times over a seven-month period to select a consultant and design the survey. The Task Force hired the firm of Noel Dunivant & Associates ("NDA") because of their proven expertise and ability. NDA had conducted similar surveys and was able to meet the stringent timetable of the Task Force. Particularly important was the fact that the project would be headed by Noel Dunivant, who had served as Research Director for the Commission of the Future of North Carolina and was involved extensively with law firms and had taught statistics and social science methodology in the law schools of New York University and Campbell University.

The logistics and costs of a statewide survey, combined with the need for comprehensive information from each respondent, dictated the use of a mailed questionnaire. Using a complete canvassing of all attorneys in the State, the research sought was intended to build upon previous studies done at both national and local levels.

¹Excluding volunteer time, the Survey cost a total of \$53,277 as follows: \$6,915 for printing; \$2,909 for postage and mailing; \$43,450 for design, analysis and reporting by the consultant (plus an additional in-kind contribution of approximately \$10,000 by the consultant).

Feedback regarding the scope and objectives of the research, as well as the questionnaire materials themselves, was provided by a number of groups, including the Quality of Life Task Force, the NCBA executive staff, several sections of the Bar Association, participants in four focus groups of attorneys, and various individual lawyers attending the NCBA annual convention. The questionnaire was thoroughly pre-tested for clarity, meaning, and length before mailing to all attorneys. A copy is available upon request.

On October 17, 1990, questionnaires were mailed to each of the 11,810 North Carolina licensed attorneys currently living in the State. A total of 2,570 completed questionnaires were received by NDA by the November 30 cutoff date, for a response rate of 21.8 percent, which the consultant considered statistically significant and well above average for surveys of this kind. The large number of responses assured that a statistically valid data sampling was obtained for all segments of the Bar. Responses were checked, coded, and keyed as questionnaires were received. Then the database was subjected to a thorough editing procedure to identify and correct any potential data entry or logical errors. Following data checking and corrections, frequency and cross-tabulation analyses were performed.

Causal modeling (path) analyses were carried out using the regression procedures in the SPSS/PC+ and SAS/PC statistical packages. Causal modeling was essential to the mission of the Task Force to understand better the particular aspects of practice leading to or deterring from life and practice satisfaction. The causal model chart, which became known as the "airline route map," is found at Attachment C and the findings of the causal model analysis are listed at Attachment D.

C. Survey Results

1. Overall Measure of Satisfaction

North Carolina attorneys generally are satisfied with the quality of their lives. 81% say they are at least "mostly satisfied." The least satisfied North Carolina lawyers are unmarried individuals, junior and senior associates in private practice and those working more than 250 hours per month. Older attorneys are more satisfied. 23% would not become attorneys again and only 53.9% desire to remain in law practice for the remainder of their careers. Similarly, only 59.8% would encourage their children or other qualified persons to enter the profession. 8 to 12% have symptoms of serious psychological or physical ill health. Over 24% of all attorneys in North Carolina reported having depression symptoms (appetite loss, trouble sleeping, suicide thoughts, extreme lethargy) at least 3 times per month during the past year. More than 25% had anxiety symptoms (hands trembling, heart racing, hands clammy, faintness) and over 22% have been diagnosed as having ulcers, coronary artery disease, hypertension or other stress related disease. 16.6% consume at least three to five alcoholic drinks per day, 17.3% took one week or less vacation in 1989 and 51.6% exercise aerobically once a week or less. 18.5% have no one with whom to share private feelings. A disturbing 43% of North Carolina attorneys think that demands of work do not allow them to have enough time for a satisfying life outside of work.

2. Specific Factors Affecting Attorney Satisfaction

Analysis of the research findings and causal model results indicate that the following conclusions and implications can be drawn from the survey:

- a. Improvements in the major categories of job and career satisfaction can have significant impact on lawyers' overall life satisfaction. These in turn may be improved by the various aspects of law practice. Reference is made to the causal model findings for an indication of the comparative significance of many of the aspects discussed below:
 - (1) Opportunities for career advancement and growth directly affect satisfaction with both job and career and indirectly impact subjective well-being. (This variable has the largest single effect on attorneys' job satisfaction.)

- (2) Interesting/challenging work is the second most potent factor in boosting work satisfaction.
 - (3) Role ambiguity (i.e., lack of clarity concerning work responsibilities, expectation, and objectives) has a major depressing effect on both job and career satisfaction.
 - (4) Relationships with co-workers and role conflict impact on work satisfaction and quality of life. Reducing interpersonal conflict, "office politics," and conflicting assignments while promoting a warm, pleasant work environment, will bolster lawyers' satisfaction with their jobs and careers.
 - (5) Feeling responsible for the welfare of clients and/or employees exerts positive influences.
 - (6) Job control (i.e., the extent to which an attorney determines his/her own work, schedule, approach, etc.) exerts a positive impact on attorneys' job satisfaction.
 - (7) Feeling overloaded with work, pressured by tight deadlines, and deprived of leisure time are important causes of dissatisfaction. The amount of time for leisure activities is the factor most strongly correlated with overall quality of life.
 - (8) Job recognition (i.e., being recognized for one's accomplishment and satisfied with the basis on which his or her compensation is determined) builds attorneys' satisfaction with jobs and careers.
 - (9) Attorneys in suburban and non-urban North Carolina counties are more satisfied with their careers than those who work in the five largest counties (Mecklenburg, Wake, Guilford, Forsyth, and Durham).
 - (10) Billable hour requirements in the firm are generally associated with declining satisfaction.
 - (11) Position/type of practice has an impact on satisfaction, but in mixed fashion. In the descriptive findings, junior and senior associates are among those least satisfied with job, career, and life; in the causal model, however, sole practitioners and partners tend to be less satisfied, or at least they do not tend to achieve the quality of life that would be expected on the basis of their age, income, and other characteristics.
 - (12) Job and career satisfaction are not affected by (i) firm or employer size, or (ii) the comparative amount of time devoted to litigation.
 - (13) Dissatisfaction with job, career, and life as a whole can be brought on by racial or sexual discrimination or by sexual harassment in the legal profession.
- b. The existence of a discrepancy between one's expectation and achievements correlates more strongly with subjective well-being than any other variable in the causal model. Attorneys who can control their aspirations and expectations so that the gap between aspirations and achievements is large enough to be motivating but not large enough to be discouraging, attain higher levels of work and life satisfaction.
 - c. Attorneys who experience psychological problems, such as depression and anxiety, stress-related disorders and other types of physical illness and their symptoms (e.g., sleep difficulties, appetite loss, etc.) generally had a poor sense of well-being. Although the cause and effect relationship is not clear, these problems are most often symptoms rather than causes of dissatisfaction.
 - d. Unhealthy lifestyles correlate with attorney dissatisfaction, including significant alcohol consumption, consumption of mood-altering drugs, extensive television watching and overeating.

- e. Caffeine consumption *per se* does not have a causal impact on quality of life; heavy coffee and cola drinkers have other characteristics that produce lower sense of well-being.
- f. Beyond a threshold point, the more hours attorneys work, the lower their quality of life.
- g. There are also several categories of healthy lifestyle practices which are positively correlated with subjective well-being. Among these practices is exercise, which increases happiness and satisfaction over and above its health-enhancement influence, since it has both direct and indirect effects (i.e., increases well-being and lessens ill health). Going to church and praying have significant effects, and lawyers, especially women, who report going to church and praying frequently have fewer psychological and physical health problems and are more satisfied with their lives. Hobbies and outdoor recreational activities, such as hunting and fishing, appear to reduce health problems directly and to improve well-being indirectly. Pleasure reading and weeks of vacation were evaluated as possible healthful practices; however, examination of the model results suggest that there may not be a causal relationship, due possibly to the interplay of age and other variables.
- h. Social and family support has a significant direct effect on well-being and indirect effects as well. Being able to count on others for help and having families that support their legal careers improves attorneys' health and reduces their expectation/achievement gaps. As a result, lawyers who enjoy a strong network of social support are happier and more satisfied with their lives.
- i. A lawyer's personality and attitude have a significant effect on his or her satisfaction with life. Hostility has a direct negative effect on subjective well-being, as well as indirect effects through reduced job and career satisfaction, widened discrepancies, and increased ill health. These results are consistent with recent research on the Type A personality which suggests that it is not so much workaholic behavior, but rather anger that leads to psychological stress and coronary heart disease. A strong sense of personal effectiveness (i.e., an attitude that one can and does make decisions that lead to desired results) helps lawyers (particularly women) to have a higher quality of life. Consistent with previous surveys, lawyers experience greater well-being to the extent that they feel in control of their lives and believe that their choices, rather than luck, determine their fate. This personal efficacy increases career satisfaction, reduces expectation/accomplishment gaps, and promotes better psychological and physical health.
- j. Several demographic and socioeconomic characteristics exert direct or indirect effects on sense of well-being and differed in the causal model analysis from the descriptive results.
 - (1) Income from law employment has large direct and indirect effects which are contrary in their direction. The causal analysis suggests that as a direct result of income gains, sense of well-being declines, all other things being equal. One possible interpretation of this result is that most lawyers must work longer, harder hours in order to earn more income. Working excessive hours and depriving oneself of personal and family time leads to dissatisfaction. Indirectly, increases in income yield increases in subjective well-being, which is consistent with previous research and the descriptive results. Greater financial resources can provide relief from financial worries and the opportunity to pursue enjoyable

activities and can reduce the gaps between desires and accomplishments. However, the impact of income on career satisfaction is negative. This is due probably to two factors: (i) some lawyers may have opted out of private practice for more fulfilling, yet lower paying, careers; and (ii) higher income implies a more demanding practice which often results in stressful situations. The ultimate effect on subjective well-being is a slight drop in quality of life for each standard unit of additional income. Thus, among North Carolina lawyers, the beneficial and detrimental effects of (earning and using) income almost cancel, bolstering a perception among many lawyers that higher income is a mixed blessing.

- (2) Rewarding marriages have many salutary effects. Overall, changing from single to married status directly increases happiness and satisfaction with life. Marriage also leads to greater job and career satisfaction, reduces discrepancy gaps, and improves health.
- (3) The number of children at home or financially supported away at school has a negative impact on the sense of well-being. The strain of parenting is especially difficult for households where both parties work. The perceived need for better child-care options is probably a recognition of this fact.
- (4) Gender has a significant direct effect on well-being, indicating that women attorneys are more satisfied with their lives than their male counterparts. (Part of this effect is offset by an indirect effect, in which female attorneys report more psychological and physical health problems.)
- (5) Age has contradictory effects between the descriptive and causal analyses. Even though older attorneys are more satisfied and happy than younger ones, all other things being equal, age reduces rather than enhances quality of life. This means that for comparably situated attorneys (same income, gender, marital status, etc.), the younger ones have higher subjective well-being. Age also lowers well-being indirectly by increasing ill health, especially among men. On the plus side, age exerts positive effects on job and career satisfaction and discrepancies.
- (6) Race has some small, indirect effects on quality of life. Minority men have higher job and career satisfaction and smaller gaps between expectation and accomplishment. In contrast, minority women — especially those who are not in private practice — are less satisfied with their jobs and careers and have greater discrepancies.

3. Narrative Results and Follow-Up

Yet to be analyzed is a second section to the survey requesting narrative written discussion to a number of questions. Given the detail of the survey, the Task force was surprised and pleased that several hundred optional responses were provided. One comment:

Enjoy life - "Smell the Roses" - Don't try to be all things for all the people. The practice of law can open a large number of doors of opportunity by the knowledge that a person possesses. (Pick a job.) The practice of law can give almost any lawyer an opportunity to feed his family in almost any area of the free world. (Pick an area.) The practice of law can give a lot of self-satisfaction (your income). (Enjoy it each day.) Do a good job at a fair price and love your fellow man. [Profile: married male, 60, private practice.]

In addition, approximately 500 attorneys signed the survey and indicated a willingness to participate in follow-up research. With proper resources, the options for further exploration are virtually unlimited. Groups such as the NCBA Council on the Status of Women in the Profession has commenced further research. Inquiries are welcome.

IV. Bar Leadership Retreat

In early 1991, after the survey results were tabulated, an invitation list was developed of representatives of diverse interests of the North Carolina Bar. It included judges and justices, law school deans and professors, law firm associates and partners, young lawyers, minority lawyers, the NCBA Board of Governors, women lawyers, and in-house attorneys. As an indication of the importance these issues were given by the invitees, 84 of the 120 invited attended the two-day retreat. The Task Force appreciates the significant efforts and contributions of these attendees who are listed individually in the prefatory Acknowledgment section of this Report. The Retreat was held on Friday evening, March 1, 1991, and all day Saturday, March 2, 1991 at the Marriott Hotel in Research Triangle Park. Judge Pasco "Bud" Bowman of the United States Court of Appeals for the Eighth Circuit served ably as moderator of the Retreat.

Friday evening was devoted to review of the survey and its findings under the direction of the survey consultant, Noel Dunivant. On Saturday, attendees broke up into the following pre-selected focus groups: Individuals (2 groups); Bar Organizations (2 groups); Firm/Employer (2 groups); Courts; Law Schools. The groups were asked to determine, in an unstructured and open-minded way, a broad list of issues. The assembled issues were then discussed by each group, and the groups reported back in the afternoon, giving specific recommendations in response to the issues.

The Retreat, besides being an invaluable source of insight and a testament to the proposition that good lawyers care about other lawyers in the profession, was thought by many attendees to be a positive process. As with earlier gatherings regarding professionalism at which attendees were asked to speak frankly about the law practice experience, numerous letters and comments of thanks from attendees showed the benefit of sharing with diverse groups brought together by their regard for professionalism and the concern about its erosion.

V. Conclusions

An initial and fundamental goal of the Task Force was to discover discrete aspects of law practice in North Carolina leading to both satisfaction and dissatisfaction, as a basis for knowledgeable recommendations. The Task Force began with a working list of factors based on personal experiences. This was refined substantially after review of the activities of other Bar groups, other professions, and study of surveys and literature from elsewhere. These assumptions were in turn carried forward to, and further improved by, the survey process and the Bar leadership retreat.

While acknowledging the impossibility of plotting to a fixed grid all of the inter-relating concepts about such things as happiness and purpose in life, certain themes recurred often enough to make such organization useful. Terminology and categorization in this field can vary, so the following outline should be viewed as a rough framework rather than as an absolute "answer." Overall, the challenge, camaraderie, freedom and excitement of high responsibility provide such positive rewards of practice that they seem to outweigh the tremendous time demands and stress often found in law practice.

A. Aspects of Law Practice Leading to Attorney Satisfaction

1. Opportunity

The leading stimulus in law practice indicated by the survey was the opportunity for career advancement and growth. Lawyers find immense satisfaction from being the best they can be. This

correlates with findings that fulfillment and achievements demand commitment, challenges and significant time. If there is opportunity to progress, attorneys willingly, and happily, work hard.

2. Intellectual Challenge

Law is basically an interesting exercise and solving its complex problems is very satisfying. The 1990 ABA YLD survey reports that, "The single most important reason why the majority of both men and women lawyers were satisfied overall with their jobs ... is the existence of intellectual challenge on the job."

3. Camaraderie

Good relationships with colleagues, especially when associated with a good understanding of one's role within the group, is a positive aspect of law practice. The presence of true collegiality among co-workers (and civility and respect among adversaries and competing attorneys) enhance practice enjoyment. Articles reviewed find particularly gratifying access to partners, the training and mentoring of young lawyers, partner-associate relationships, and good relationships with clients.

4. Social Utility

Attorneys derive fulfillment from helping people and, in a broader sense, society. When present, it makes many demands and trade-offs worthwhile; when absent, attorneys feel the loss. Articles were reviewed in the Resource Guide which found working for large corporate clients or in firms with a mercenary emphasis often takes away from the feeling of social usefulness.

5. Responsibility for Others

The survey found high satisfaction in feeling responsible for the welfare of clients and other attorneys and staff. Having that responsibility and putting it ahead of one's self-interest is the essence of professionalism.

6. Financial Security

The survey measured satisfaction derived from one's standard of living, and law affords the ability to provide a comfortable standard of living. While the misguided view of money as the sole goal of practice, sole measure of success and sole measure of self-worth is directly and indirectly responsible for many of the problems in practice today, when given its proper relationship, substantial income is a real benefit of being a lawyer. However, the 1990 ABA YLD Survey finds, "money is not the driving force for lawyers."

7. Autonomy

Autonomy, responsibility for others as well as one's work, and job control exert a positive impact on career satisfaction. Permitting attorneys to have a voice in project staffing, areas of practice, and lifestyle considerations have significant positive results. Responsibility increases motivation. Autonomy is usually low regarding legal outcomes, time demands and client decisions.

8. Recognition

Being recognized for one's accomplishments and satisfied with the basis on which compensation is determined achieves satisfaction. A simple moment of recognition yields substantial positive results. Client feedback is especially gratifying. Professional competence leads to success which leads to job recognition. Compensation is often viewed in terms of recognition.

9. Personal Effectiveness

A fulfilling aspect of law, and many other professions, is that it allows one to make and implement decisions that lead to desired results. This is similar to the benefits of having responsibility and control over jobs and lives. Control and competence enhance the likelihood of personal effectiveness.

10. Balance

Satisfaction with the amount of time one has for outside activities correlates strongly with overall quality of life. Balance of career and outside interests has emerged as an overriding factor. Satisfaction requires significant professional commitment, but to maximize enjoyment of law and life that commitment must not be at the expense of home and family, intellectual, social, or spiritual health, or community service.

11. Realistic Expectations

When one understands what may be realistically expected from law practice and a practice environment, career satisfaction goes up. The discrepancy between expectations and achievements in various domains was found to be the single largest negative causative factor eroding attorney satisfaction in North Carolina.

12. Support

Social and family support exert a direct effect on well-being. This relates to camaraderie at work and time to have friends and interests outside of work, to have someone with whom to share concerns and celebrations. The survey revealed that 18.5% of North Carolina attorneys have no one with whom to share private feelings. Unfortunately, lawyers in the early stages of their careers tend to neglect personal relationships. The survey found that, "The most satisfying aspect of attorneys' lives was their family relationships."

13. Equality

Equality of opportunity is one of the dominant values of the profession. Discrimination or sexual harassment decrease one's satisfaction. Unfortunately, many lawyers find themselves the subject of discrimination and harassment within the profession.

14. Well-Suited Personality

Some people obviously have a knack for the analysis, problem solving, discipline, and interrelationships present in law practice. This leads to satisfaction through a number of indirect paths such as personal effectiveness, accomplishments, recognition, and income and a more likely fit with practice areas and firms. A strong sense of personal competence correlates to job satisfaction. It is not so much "workaholic" behavior, but rather hostility, which lowers satisfaction and leads to ill health.

15. Civility and Mutual Respect

When present, these elements of professional decorum make practice more enjoyable. Many attorneys consider this feature to be one of the most rewarding and fragile aspects of day-to-day practice.

16. Respect by the Public for the Profession

Unfortunately, perspective on the value of this has been provided by comparison of the past with the present, but high regard by the public for the profession enhances the lawyer's view of his or her role in it as well.

B. Aspects of Law Practice Leading to Attorney Dissatisfaction

The negative factors are usually the “enemies” of the aforementioned positives. They are often either their reverse (control v. no control) or an underlying cause of their erosion (competition leads to loss of civility).

1. Not Enough Time

Lack of enough time to balance work with time for self, family, the community, pro bono, etc. is a major factor in dissatisfaction. To be satisfied, a lawyer needs to meet the significant and time-consuming challenge to be the best he or she can be, but this leaves little margin for error in over-committing. Often the work demands are inordinately assumed (or assigned to others) without awareness of the human “costs” of dissatisfaction. Causative factors leading to the lack of balance problem are many—some “come with the territory,” some are societal and beyond repair, but many are avoidable. Time management problems are exacerbated for attorneys with children, and especially those with primary responsibility for children. The finding that older attorneys are more satisfied needs further study as to whether it may be in part due to less willingness of younger attorneys to accept the trade-offs of legal life.

a. “Tyranny of the Timesheet”

The concept of billing time as opposed to billing for results, solutions, or value offers no rewards for, and in fact penalizes, efficiency. Value billing would reduce this insidious pressure to bill more and more hours.

b. Innately Time-Consuming

(1) Complexity

As with society in general, the laws which regulate society are becoming more and more complex and therefore time-consuming for law practitioners. Specialization often prevents attorneys from seeing the whole picture, but somewhat addresses this problem. However, complexity also increases the demand that someone see the whole picture.

(2) Demands

In many practice environments, demands of courts, clients, and other lawyers drive attorneys to put in more and more time. Some practice settings (and positions within them) offer more control than others and thus greater satisfaction. Some unreasonable time demands can be avoided.

(3) Challenging

Law practice is stimulating, challenging and has always offered many enticements to over-commit.

c. Poor Financial Management

Financial over-commitment by both firms and individuals has forced them to work long hours to generate more income.

(1) Unaware of intangible human “costs” when making these financial commitments

The survey shows that after a certain time commitment (for most people, working more than 225 hours per month), even substantial income cannot negate the reduced quality of life. Because of this, the survey found that the net impact of income on career satisfaction is negative. “The causal model analysis suggests that as a direct result of income gains, sense of well being declines ... all other things being equal. One possible interpretation of this result is that most lawyers must work longer, harder hours in order to earn more income.” Ignorance of these costs until too late is an avoidable trap.

(2) High starting salaries

Firms strap themselves (and the people being recruited) with high time demands from the overhead stemming from high starting salaries and the spiral effect on other associate salaries.

2. Impaired Professional Relationships and Roles, Causing a Loss of Collegiality

Erosion of professionalism, civility, and mutual respect has hurt law practice. This erosion has several specific causes.

a. Commercialization of Practice

Some law practices have gone from a people profession to a business, and personal relationships have gone with it.

b. Competition Among Attorneys

The drive to get, retain and impress clients causes alienation among attorneys in numerous ways.

c. Urbanization of the Bar

Urbanization makes personal contacts and chances for relationships more remote.

d. Loss of Institutional Loyalty

This is both a symptom of dissatisfaction and a cause of impaired relationships. One will likely become more invested in a professional (or other) relationship if it is for a lifetime. Financial pressure to "leverage" associates decreases associate firm loyalty. One reviewed study found nearly two-thirds of dissatisfied lawyers do not feel part of the firm.

3. Role Ambiguity

Role ambiguity (lack of clarity concerning work, responsibilities, expectations and objectives) breeds a sense of helplessness and a sense of lack of opportunity. It erodes camaraderie and a sense of belonging. A North Carolina YLD survey found this to be a significant problem for young attorneys. (See Resource Guide, page 5.) It is exacerbated by the following:

a. Lack of Mentoring/Peer Support

In the "old days," senior lawyers and peer colleagues passed along lawyering tips and showed true interest in the person. Modern practice presents fewer opportunities for this.

b. Premature Labelling

In some practice settings, developing attorneys are sometimes forever evaluated according to initial impressions.

c. Lack of Support in the Work Environment

The organization's "grapevine" is a valuable means of communication. Interpersonal support will alleviate role ambiguity.

d. Insufficient Feedback

This negative is easily avoided but is pervasive. It is false "efficiency" not to take the time for feedback. The Resource Guide summarizes one article as finding that, "The primary (law firm) organizational issues are feedback to associates, lack of written business plan and lack of an effective peer review system for partnership decisions."

4. Negative Systemic/Societal Factors

Some societal changes have decreased the enjoyment of law practice.

a. Increased Pace and Complexity of Society, Laws and Law Practice - Leading to Time and Competency Pressures

The "FAX machine syndrome." For attorneys already pushed to the limit, the simple increase in client expectations for more complex matters to be "turned around" more and more quickly has led to significant practice pressure and stress. Specialization is necessary to master collectively the complex legal environment, but sometimes leads to narrow practice niches, loss of control, loss of responsibility, and loss of client contact.

b. Increased Litigiousness

Society's penchant to sue has led to more malpractice suits against attorneys.

c. Loss of Public Esteem

Lawyer jokes provide only bittersweet humor. A general loss of public esteem makes it difficult to keep in perspective one's self-esteem. The Maryland Bar Association has directed multiple efforts to polish attorneys' public image so to enhance the individual attorney's own image.

5. Discrimination

The survey found race and gender discrimination as well as sexual harassment all to be causes of dissatisfaction.

6. Discrepancy Between Expectations and Reality

The survey reports that, "Some attorneys set (and reset) their comparison levels so high that they never escape a sense of despair and dissatisfaction." This is exacerbated for some for whom financial success has become the sole measure of accomplishment. Surprisingly, this discrepancy was one of the main causal factors found in the survey leading to attorney dissatisfaction. The Retreat attendees and the Task Force have focussed considerable attention on improving attorneys' opportunity to know of the realities of practice and also otherwise avoid setting unachievable goals. Many disappointments in law can be avoided.

7. Pressures of Court System

The demands of the calendar create loss of control and personal problems. Vacations are canceled. Long trial days leave no room for preparation, family or other clients. The system could better promote professional conduct and education of practitioners.

8. Unhealthy Lifestyle

Independent of other factors, poor diet and exercise habits erode enjoyment of life and law practice.

VI. Recommendations

The Task Force met collectively, and separately according to focus groups, throughout the spring of 1991 to evaluate its findings and the insight provided at the Retreat in order to develop specific, measurable, and concrete recommendations for action.

The mandate to the Task Force was that its work would be more than an anecdotal identification of stress symptoms and the now standard stress and substance abuse management recommendations. To accompany the dissection of the elements of satisfaction and dissatisfaction with the profession, the group was tasked with developing equally specific action plans to enhance the good elements and prevent or mitigate the bad. As a result of that action goal, the recommendations are grouped around the entities most suited for implementing them, rather than according to abstract issues or causative factors.

After lengthy deliberation, the Quality of Life Task Force of the North Carolina Bar Association makes the following RECOMMENDATIONS:

A. BAR ORGANIZATIONS

1. GOAL. TO PROMOTE COLLEGIALLY AND CIVILITY WITHIN THE PROFESSION.

a. Discussion. Attorneys are alarmed by the erosion of collegiality, civility and the overall aura of professionalism. Bar organizations are well-positioned to restore these traits.

b. Action Steps.

(1) Sponsor Professionalism Programs. Sponsor programs on a broad spectrum of topics directly or indirectly regarding professionalism and professional courtesy. Topics should include: (a) trends in law practice, (b) economics of practice, (c) law firm culture, (d) lawyer independence, (e) ethics, (f) time management, (g) competition, and (h) the lawyer's role in society.

(2) Make Professionalism Part of CLE. Formally include professionalism topics as a recognized part of Continuing Legal Education courses. Provide CLE credit in recognition that this improves the administration of justice and the welfare of attorneys and society.

(3) Sponsor Programs Fostering Attorney Inter-relationships. Sponsor existing and additional programs which will foster the professional inter-relationships of attorneys, such as the Silent Partners Program, the Of Council Program, the Medical/Legal Liaison Committee, and many YLD programs. The Silent Partners Program is a joint project of the Young Lawyers Division of the NCBA and the North Carolina State Bar which matches new attorneys with experienced attorneys during the first year of practice. All new associates are given the opportunity to participate. The Of Counsel Program is sponsored by the North Carolina State Bar to provide advice from experienced attorneys in order to assist the practicing Bar with practice issues. The Medical/Legal Liaison Committee is comprised of representatives of the two professions to discuss matters of mutual interest and foster communication and regard between the groups. Form new organizations to promote collegiality, such as a standing committee on Professionalism, a standing committee on Quality of Life and a Managing Partner's Roundtable.

(4) **Support Inns of Court.** Support Inns of Court, which are organizations established to promote professionalism in interactions among attorneys and the judiciary in the courtroom.

(5) **Encourage Family Participation.** Encourage family participation in Bar programs and attendance at meetings. Sponsor activities specifically for family and specifically for spouses.

(6) **Develop Written Materials.** Promote continued use of Principles of Professional Courtesy. Continue to provide articles, pamphlets, and manuscripts regarding professionalism.

(7) **Bolster Informal Local Resolution of Grievances.** Encourage local Bar groups to promote forums to receive and resolve grievances informally, include liaison with the local judiciary.

2. GOAL. TO FOSTER REALISTIC EXPECTATIONS IN LAW PRACTICE.

a. **Discussion.** The discrepancy between actual and realistic/achievable goals is a major problem in practice. The organized Bar can be the catalyst to address this problem. Aspiring lawyers can learn more about the practice and experienced attorneys can be apprised of comparative information and emerging trends so as to set accurately their goals.

b. Action Steps.

(1) **Provide Information Pre-law School.** Collect and create materials and provide speakers and materials to high school and college students regarding the realities of law practice. YLD and Senior Attorneys' Divisions involvement would be particularly appropriate.

(2) **Provide Information During Law School.** Collect and create materials and provide guest lecturers and clinical instructors to law schools. Assist law school placement offices in educating students regarding the realities of law practice and in educating students about the realistic implications and expectations signified by that data.

(a) Encourage law firms and other employers to provide firm culture data. Work with appropriate groups such as the law schools, the National Association of Law Placement and law firms to develop a form that will provide uniformity in the presentation of this data.

(b) Provide information to law students regarding the impact of financial commitments on later quality of life choices.

(3) **Provide Information to Practicing Attorneys.** Provide information to practicing attorneys of realistic expectations in current practice. Collect and share comparative data accurately reflecting the situations of others similarly situated. Publicize this aspect of the Quality of Life Survey. Review the current economic survey to determine if it furthers realistic expectations. Provide information and assistance to firms in articulating policies and expectations, such as model firm policies. Sponsor meetings, programs and other appropriate opportunities for dialogue among attorneys on the changing realities of law practice.

3. GOAL. TO INCREASE AWARENESS OF ATTORNEY SATISFACTION ISSUES AND PROVIDE A PROCESS TO IMPACT POSITIVELY ATTORNEY SATISFACTION.

a. **Discussion.** The survey revealed that the majority of North Carolina attorneys (54%) feel that "it is the primary responsibility of Bar-related organizations to sponsor programs that assist lawyers with balancing their personal and professional lives." Choices must be made with an understanding of the quality of life consequences of those choices. The Bar can promote educated decisions and mechanisms to provide increased satisfaction in personal and professional realms.

b. Action Steps.

(1) **Establish a Standing Committee on Quality of Life.** Establish a standing committee on Quality of Life to investigate quality of life issues, educate attorneys regarding them and promote improvement of the satisfaction of North Carolina lawyers in law practice and life.

(2) **Establish a Managing Partners Roundtable.** Establish a Managing Partners Roundtable where discussion by senior partners of firms and other law groups of important issues affecting the profession and practice satisfaction may enhance overall understanding and a commonality of professional purpose.

(3) **Establish an Economics in Practice Task Force.** Establish a task force to review the economic structure of the profession, including particularly "value" billing for services versus billing on a time basis only. The task force should communicate its findings to the Bar membership through appropriate means.

(4) **Provide Educational Information.** Collect and create materials and provide speakers, programs and other appropriate resources to increase awareness of quality of life issues, initially the findings and recommendations of the Quality of Life Task Force. Develop a systematic approach to select and train speakers and to target appropriate groups.

4. GOAL. TO REDUCE RACIAL AND GENDER DISCRIMINATION.

a. **Discussion.** The Bar can help maintain awareness that this problem still exists and be a catalyst for its elimination.

b. Action Steps.

(1) **Cooperate with Groups.** Continue to promote the work with groups such as the Commission on the Status of Women in the Profession and the Minorities in the Profession Committee.

(2) **Promote Existing Programs and Create Others.** Promote the NCBA minority summer clerkship program, the Bar Exam writing clinic, and the development of additional means for eliminating discrimination in our profession.

(3) **Implement Sensitivity Training.** Implement sensitivity training for Bar members through appropriate committees, programs, and written materials.

5. GOAL. TO MAKE AVAILABLE SUPPORT SYSTEMS FOR INDIVIDUAL LAWYERS.

a. **Discussion.** We found support systems to be vital. The Bar can inform individuals of support options, make those options more accessible, and actually provide key support programs.

b. **Action Steps.**

(1) **Establish a Volunteer Lawyer Support Program.** Establish a statewide and/or local lawyer support program patterned after the Mecklenburg County Bar Association's Lawyer Support Program. These programs would provide training to volunteers in suicide prevention, addiction identification, and listening skills. Volunteers would be trained to make appropriate referrals to professionals. These programs would also offer educational seminars and workshops on such topics as stress management and alcohol abuse. They would develop and distribute written materials to provide awareness of the programs' mechanisms for responding to attorneys' needs.

(2) **Establish a Statewide Employee Assistance Program ("EAP").** Establish and promote EAPs which would allow employees of affiliated organizations to receive confidential counseling on a broad range of problems, particularly those affecting job performance. Provide referral for additional professional assistance as appropriate. These programs would make available at no additional expense informative seminars and materials for both supervisors and employees.

(3) **Endorse Appropriate Mental Health Benefits.** Endorse or include appropriate mental health benefits in Bar-sponsored and endorsed health insurance programs.

(4) **Remove Counseling Stigma.** Through proper means, re-examine language of the North Carolina State Bar Application regarding the history of counseling question, or otherwise eliminate any inference of a stigma arising from counseling.

(5) **Malpractice Allegation Trauma Support.** The trauma associated with being accused of professional malpractice or violation of other standards is unique. Provide a support program similar to that of the North Carolina Medical Society.

(6) **Continue to Sponsor Stress Management and Risk Management Seminars.** Provide such programs for their valuable support function, as well as aforementioned educational function.

(7) **Collect Information on Available Support Mechanisms.** Collect and make available information on EAPs, counselors and programs available.

(8) **Sponsor Lawyer Assistance Programs.** Continue the Positive Action for Lawyers (PALS) program, an intervention program for attorneys with substance abuse problems sponsored by the

North Carolina State Bar. Consider expansion of PALS program similar to the scope of the North Carolina Medical Society's Physicians' Health and Effectiveness Program.

6. GOAL. TO PROVIDE TOOLS FOR OTHERS TO IMPACT POSITIVELY ATTORNEY SATISFACTION.

a. **Discussion.** In addition to the foregoing, the NCBA is uniquely situated to provide tools for other individuals and groups to promote attorney life and job satisfaction.

b. **Action Steps.**

(1) **Provide Model Firm Policies.** Compile model firm policies to assist firms in establishing parental leave, pro bono, community service, employment, compensation, etc., policies.

(2) **Provide Model Firm Statement of Principles.** Provide firms with a model, or a collection of, firm Statements of Principles.

(3) **Establish Protected Vacation Policy With Judiciary.** Establish, in cooperation with the judiciary, a recognized policy which protects an attorney's reasonable vacation plans.

(4) **Provide Financial Management Resources.** Provide or make available sources of personal and firm financial management advice.

(5) **Aid Development of Personal Attributes.** Assist in self development of attorneys directly through Bar programs and materials which aid in assessing personal attributes of attorneys and maximizing their effectiveness through better understanding of organizations, law practice, and the practice environment. Aid development indirectly through cooperative efforts with firms and law schools.

7. GOAL. TO INCREASE ATTORNEY COMPETENCE.

a. **Discussion.** Professional competence leads to achievement, recognition, self effectuation, client service and many other sources of satisfaction. The Bar must continue to promote legal education.

b. **Action Steps.**

(1) **Continue Existing Programs and Create Others.** Continue as a high priority Continuing Legal Education programs and other competency enhancing measures.

B. LAW FIRMS²**1. GOAL. TO PROMOTE COLLEGIALLY AND CIVILITY WITHIN THE PROFESSION.**

a. **Discussion.** Firm camaraderie, collegiality, recognition, role awareness, and a sense of belonging were surprisingly powerful factors leading to enjoyment of law practice. Additionally, interaction efforts improve competency and awareness of firm matters.

b. **Action Steps.**

(1) **Adopt Feedback Policy.** Implement a policy for associate communication/feedback/development.

(2) **Reward Performance.** Reward and recognize performance and loyalty. Adopt compensation policies for associates and partners that promote both teamwork and excellence.

(3) **Promote Input.** Foster individuality, competency, and self-effectiveness through allowance and assistance in specialty changing within the firm and participatory decision making.

(4) **Socialize.** Encourage firm social functions.

(5) **Avoid Leveraging.** The practice of “leveraging” associates creates competition, stress and a loss of institutional loyalty and sense of belonging. Colleagues are viewed as competitors for partnership. “Leveraging” is here used broadly to connote the concept of the intentional limitation of associate access to partnership status so as to promote partnership profitability.

2. GOAL. TO FOSTER REALISTIC EXPECTATIONS IN LAW PRACTICE.

a. **Discussion.** To prevent attorneys from setting unrealistic or otherwise unachievable expectations, firms should establish and clearly communicate the firm’s values and expectations of its lawyers, and establish mechanisms to close the gap between personal and firm expectations.

b. **Action Steps.**

(1) **Establish an Expression of Values and Expectations.** Examine the firm’s purpose for association in an effort to understand what is important to its members and why this particular group has come together to practice law. This examination may take place during a firm retreat, in firm meetings or with the assistance of Bar-provided materials.

²“Law Firms” are referred to here for ease, but the phrase is intended to address any organization where lawyers work with others.

(2) **Clearly Communicate to Members.** Communicate to the firm's current members, and to prospective new associates the firm's values and expectations. Encourage retreats, meetings, mentoring and evaluation sessions, and informal contacts as colleagues.

(3) **Adopt a Statement of Principles.** Consider adopting and following a written Statement of Principles which would include the following: (a) the firm's values and mission, (b) criteria of professional development for compensation and advancement, including commitment, quality work, professional conduct, community and pro bono service and client relations, (c) procedures used to evaluate development, (d) procedures and policies for mentoring, training and communication of firm issues and (e) policies preventing discrimination and sexual harassment.

(4) **Adopt and Communicate Firm Policies.** Adopt straightforward policies regarding such matters as vacation and parental leave.

(5) **Provide Firm Value Information.** Provide pertinent data to prospective new members of the firm so they can be aware of them in determining compatibility with the firm.

3. GOAL. TO INCREASE AWARENESS OF ATTORNEY SATISFACTION ISSUES.

a. **Discussion.** A firm should be fully apprised of the quality of life consequences of choices it makes.

b. **Action Steps.**

(1) **Participate in Bar Activities.** Encourage general participation in Bar forums, committees and programs regarding quality of life issues.

(2) **Appoint Firm Designee.** Appoint a person or committee within the firm to keep the firm aware of attorney satisfaction issues.

(3) **Distribute Materials Internally.** Communicate quality of life information through distribution of relevant materials, including this Quality of Life Task Force Report.

(4) **Use Outside Speakers.** Use consultants, including possibly members of the Quality of Life Committee of the NCBA, to discuss issues and recommendations.

(5) **Mentor Values.** Senior lawyers again spend time teaching professionalism, and "budget" priority time for young lawyers for substantive and professionalism training.

(6) **Express Issues Openly.** Establish meetings, retreats, etc. to discuss these issues. Encourage informal communications by building into other firm interaction settings.

4. GOAL. TO REDUCE RACIAL AND GENDER DISCRIMINATION.

a. **Discussion.** Firms can lead the way in eradication of discrimination.

b. **Action Steps.**

(1) Adopt and enforce anti-discrimination and anti-sexual harassment policies.

(2) Consider broad issues of minority opportunity when hiring and considering participation in Bar-sponsored minority recruitment programs.

5. GOAL. TO IMPACT POSITIVELY ATTORNEY SATISFACTION THROUGH FIRM DECISIONS.

a. **Discussion.** Attorney satisfaction will be encouraged if firms adopt policies and practices to provide to the extent possible challenging work, professional opportunity and satisfactory economic rewards in a collegial and accommodating environment.

b. **Action Steps.**

(1) **Consider All Factors When Making Financial Commitments.** Examine trade-offs and sacrifices required of certain economic decisions and establish the appropriate level of time commitments in an informed, rational way by being aware of diminishing returns to attorney satisfaction when those demands go beyond a balance point. Examine factors which prevent realization of commitment parameters, including billing practices and financial commitments. Examine the starting salary spiral for new attorneys.

(2) **Reasonable Work Requirements.** Set reasonable parameters on requirements regarding billable hours and non-billable work for the firm.

(3) **Maximize Efficiency.** Implement time saving staffing, technology, time management and specialization decisions.

(4) **Adopt Flexible Work Schedules.** Adopt as flexible work schedules as possible, given legitimate client service limitations. Adopt parental leave, alternative work schedules, sabbatical and vacation policies, using NCBA models as guides.

(5) **Promote Healthy Lifestyles.** Promote exercise and healthy diet by distributing applicable articles to members, providing speakers on the subject at firm meetings, distributing applicable Bar Association material, and encouraging or subsidizing membership in local health clubs.

(6) **Promote Counseling.** Promote environment where lawyers seek professional counseling without stigma either through adoption of an EAP, participation in Bar support programs or establishment of relationships with counselors. Use Resource Guide and resources.

C. LAW SCHOOLS**1. GOAL. TO PROMOTE COLLEGIABILITY AND PROFESSIONALISM WITHIN THE PROFESSION.**

a. **Discussion.** Training of law students in the importance of professional relationships and roles will make such conduct more ingrained. Instruction should cover practical and ethical concerns of professionalism in the law, the proper role of attorneys in the adversarial system and civility and courtesy among lawyers.

b. **Action Steps.**

(1) **Provide Professionalism Instruction.** Provide instruction by faculty on professionalism. Relate substantive courses to professionalism.

(2) **Schedule Guest Speakers.** Schedule lectures on professionalism by guest speakers who are experienced members of the bench and Bar.

(3) **Promote Inns of Court.** Promote and participate in Inns of Court.

(4) **Establish Mentoring Programs.** Establish a program linking law students to experienced attorneys one-on-one for mentoring.

(5) **Promote Interaction.** Encourage more personal interaction between faculty and students to promote sharing of ideas concerning practice and ethical and professionalism issues.

2. GOAL. TO FOSTER REALISTIC EXPECTATIONS IN LAW PRACTICE.

a. **Discussion.** There exists a sometimes wide discrepancy between expectations and reality in the minds of law students and lawyers. This discrepancy has been shown to have a strong correlation with career dissatisfaction. Articles reviewed in the Resource Guide find unrealistic expectations of law students to be a significant problem, and place responsibility with law schools to remedy the problem. One survey reported that career satisfaction was most closely tied to the degree of naivete of job expectations before law school.

b. **Action Steps.**

(1) **Establish Policies to Be Applied Prior to Admission.**

- (a) Review admission policies and procedures to determine whether law school is attracting those well-suited to serve the profession and those who will find it satisfying.
- (b) Provide materials and other appropriate resources to potential applicants regarding the realities of practice, the skills and disciplines required of lawyers, and insight into reasons for pursuing a legal education.
- (c) Encourage pre-law counseling by undergraduate schools, Bar and other appropriate organizations.

(2) Establish Policies to be Applied Post-Admission.

- (a) Provide reading materials to newly accepted students concerning the realities of the profession.
- (b) Provide orientation, courses and lectures to inform students regarding the realities of the profession. Consider clinical courses. (See *Resource Guide*.)
- (c) Involve education of practice realities in placement. Include career paths of typical graduates, not just high profile alumni.

3. GOAL. TO INCREASE AWARENESS OF ATTORNEY SATISFACTION ISSUES.

a. **Discussion.** There are recruiting and financial pressures for students to go to large corporate firms in urban areas, although not everyone will find this option to be the most satisfying. If students know more about themselves, what others similarly inclined have found to be the most rewarding, they will be able to make more intelligent choices about career options. Part of the educational process is to instill in students the concept that a lawyer's worth is in serving one's client to the best of one's ability, regardless of whether the client is a large corporation or an indigent individual.

b. Action Steps.

(1) **Provide Information to Students.** Provide programs and materials enhancing awareness of the spectrum of factors leading to high career and personal satisfaction similar to approaches previously mentioned regarding professionalism and realities of practice.

(2) **Broaden placement counseling.** Provide law placement counseling concerning the free time and other trade-offs normally associated with high starting salaries offered by employers.

(3) **Develop Program for Students to Obtain and Understand Firm Culture Data.** Develop, in concert with other appropriate groups, such as firms, the Bar, and the National Association for Law Placement, a method to elicit from recruiting employers sufficient data, such as billable and non-billable hours requirements, chances for partnership, historical attrition, hiring by race and gender, and starting salary, so that students may knowledgeably match their values and orientation with the employers'.

(4) **Present Job Alternatives.** Present affirmatively all available job alternatives to the students through the placement office, faculty, and "career days."

4. GOAL. TO IMPACT POSITIVELY ATTORNEY SATISFACTION.

a. **Discussion.** Acknowledging the formative role a law school can take in developing not only legal skills but a better profession and more fulfilled attorney careers, each law school faculty should review quality of life issues and develop its own agenda and action plan to deal with these issues.

b. Action Steps.

(1) **Sponsor Quality of Life Retreat.** Host a retreat for law school faculty to identify and discuss quality of life issues in the law school environment.

(2) **Follow-up Quality of Life Retreat.** Designate an associate or assistant dean to coordinate and implement recommendations arising from a law school quality of life retreat and monitor quality of life issues on a continual basis, with authority to make additional recommendations to the dean and faculty.

(3) **Communicate Findings with Others.** Communicate and coordinate with other schools and the Bar adopted quality of life recommendations and policies.

(4) **Encourage Faculty to Focus on Quality of Life Work.** Encourage faculty to conduct research and writing on quality of life issues relating to the practice of law and ensure that the tenure process does not discourage or inhibit these activities. NCBA survey data should be "mined" further.

(5) **Provide Discrimination Sensitivity Programs.** Conduct programs to sensitize all students to gender and race discrimination in law school and the profession.

(6) **Encourage Counseling.** Make counseling readily available, encourage its use and remove any stigma associated with it by making it a normal function in the educational process.

(7) **Provide More Indicia of Skills.** Assist employers in locating prospective attorneys qualified for their particular situation by providing benchmarks of ability and compatible personality in addition to class rank, Law Review, Order of the Coif, etc. Likewise, assist students in evaluating career opportunities (and their own self-worth) upon bases other than solely compensation.

D. JUDICIARY

1. GOAL. TO PROMOTE COLLEGIALLY AND CIVILITY WITHIN THE PROFESSION.

a. **Discussion.** Dealings between attorneys in the court system in a professional manner is an important and valuable aspect of law practice that has been eroded. Its counterpart, hostility, has been found to be not only unpleasant, but also physically destructive in the long run. The bench has a unique opportunity to cultivate and demand proper conduct of attorneys and to civilize relations between the bench and Bar.

b. Action Steps.

(1) **Guidance to Attorneys.** The organized judiciary can educate the Bar and judiciary concerning the debilitating effects of lack of courtesy and hostility.

(2) **Demand Professional Conduct.** Impose a high level of decorum in court without unnecessary formality. Decorum signals respect for colleagues and the adversary system.

(3) **Promote Inns of Court.** Establish and participate in Inns of Court or other systemic process for the education and cultivation of proper conduct.

(4) **Encourage Interaction.** Provide settings which encourage more informal interaction between lawyers and judges outside of court.

(5) **Hold Informal Pre-trial Conferences.** Institute pre-trial conferences in an informal setting to avoid polarization and encourage cooperation.

(6) **Encourage Local Rules to Foster Courtesy.** Adopt a "10-day rule" or similar rule requiring prior written notice to opposing counsel before seeking default or similar judgments or rulings. Work with local bar organization regarding rules and expectations to encourage courtesy.

2. GOAL. TO AVOID RACIAL AND GENDER DISCRIMINATION.

a. **Discussion.** Racial and gender discrimination exists in North Carolina's court system and the judiciary can hasten its elimination.

b. Action Steps.

(1) **Increase Awareness.** Provide means to sensitize the judiciary and Bar practicing before it of discrimination problems, issues and methods to avoid it.

3. GOAL. TO IMPACT POSITIVELY ATTORNEY SATISFACTION.

a. **Discussion.** A significant negative by-product of court calendaring, trial process and unforeseeable time demands imposed on attorneys in trial is loss of control over time and breach of prior commitments to family, self, or other clients. Limited ground rules to allow time management are needed.

b. Action Steps.

(1) **Provide Information on the Toll on Quality of Life.** Provide programs and materials by the organized judiciary, that promotes trial efficiency in the recognition that lengthy trial days leave little time for judge and attorney preparation and family time.

(2) **Establish Protected Vacation Policy.** The organized judiciary, in coordination with the organized bar, establish a policy to "protect" vacations of attorneys, whether it be during a special period of the year or upon prior notification of the court by the attorney, etc.

(3) **Reward Efficiency and Value in Setting Fees.** Establish a policy in setting court-ordered fees that the court consider, in addition to hourly rate, the experience, competency, and efficiency of an attorney, and the value of services rendered, thus diluting the "tyranny of the timesheet."

(4) **Do Not Permit Inappropriate Trial Tactics.** Do not permit inappropriate trial tactics such as allowing opposing counsel to create time problems for their adversaries solely as a trial tactic, permitting “ambush” tactics or allowing delay tactics. Encourage informal discovery.

(5) **Encourage “Settlement Week”.** Establish “settlement week” procedures where appropriate to facilitate settlement of cases.

(6) **Educate Attorneys.** Promote professional competency by sharing judicial insight and perspective. Participate in Continuing Legal Education. Materials, articles and “tips” should be shared with Bar organizations and individual lawyers.

E. INDIVIDUALS³

1. GOAL. TO PROMOTE COLLEGIALLY AND CIVILITY WITHIN THE PROFESSION.

a. **Discussion.** Unprofessional conduct is necessarily performed by individuals; therefore, its eradication depends on the individual.

b. **Action Steps.**

(1) **Act as Ambassador to Profession.** Act professionally and with civility to all as an ambassador of the profession.

(2) **Exercise Civility With Colleagues.** Exercise civility with and respect for colleagues.

(3) **Participate in Bar Programs.** Support Bar efforts regarding professionalism.

2. GOAL. TO INCREASE AWARENESS OF ATTORNEY SATISFACTION ISSUES.

a. **Discussion.** Personal awareness of career satisfaction elements will encourage appropriate choices.

b. **Action Steps.**

(1) **Use Bar Resources.** Access Bar programs, materials and committees regarding the general issue of attorney satisfaction and also regarding pertinent elements thereof. Read this Report carefully to learn of additional steps to increase satisfaction.

³While all actions are ultimately performed by individuals, this section is brief because it addresses steps to be taken by individuals, as individuals, and without regard to others or various groups.

3. GOAL. TO IMPACT POSITIVELY ATTORNEY SATISFACTION THROUGH PERSONAL DECISIONS.

a. **Discussion.** Within and without the law practice arena, individuals can make decisions enhancing life and job satisfaction.

b. **Action Steps.**

(1) **Make Choices Within the Practice Setting.**

- (a) Educate clients about what realistically to expect so as to limit unreasonable demands.
- (b) When an individual choice, try to establish billing arrangements that reward services and value as opposed to simply time.
- (c) Maintain competency through participation in Continuing Legal Education.
- (d) Follow pertinent recommendations found elsewhere in this Report.

(2) **Make Choices in Life Apart from Law Practice.**

- (a) Commit to family, one's spiritual life and friends.
- (b) Make time for recreation and retreat.
- (c) Utilize appropriate counseling, therapy and peer support.
- (d) Engage in a healthy lifestyle - commit to exercise and a healthy diet.
- (e) Commit to community service.

ATTACHMENTS

- A. Report of Issues Committee**
- B. Resource Guide Index**
- C. Causal Model Chart**
- D. Causal Model Findings**

North Carolina Bar Association Quality of Life Task Force
Issues Subcommittee

I. Mission Statement -- the goal.

According to the Preamble to the North Carolina Rules of Professional Conduct, "[a] lawyer is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice." As such, a lawyer is faced with the challenge of providing quality service to the client, the profession, and the community, while also developing as an individual and fulfilling his or her personal goals.

II. Issues -- barriers to attaining the goal.

A. Systemic Problems.

1. Increasing amounts of resources; demands of a constantly changing field -- the information glut.
2. Increasing competition for clients -- the lawyer glut.
3. Increased risk of being sued for malpractice.
4. Case management by the judiciary; organization and administration of the courts.
5. Urbanization and growth of the bar.

B. Professional Relationships.

1. Lack of professional courtesy and integrity.
 - a. Between lawyers.
 - b. Between lawyers and judges.
 - c. Between lawyers and other professions.
2. Growing disparity of values of those in the profession.

C. Practice Management Issues.

1. Billable hours -- selling time v. selling solutions.
 - a. The phenomenon of lawyering as a business/industry.
 - b. Absence of financial reward for efficiency and creativity.

2. Financial problems.
 - a. Financial overcommitment by firms and individuals.
 - b. High starting salaries.
 - i. Causes unrealistic expectations.
 - ii. Causes pressure to meet high overhead.
3. Access to the profession by women and minorities.
4. Specialization.
5. Time management problems -- balancing family, work, bar activities, pro bono activities, community activities, a personal life, etc.
6. Financial inability to take or unattractiveness of clerkships or public positions.

D. Health-Related Problems.

1. Stress.
2. Substance abuse.
3. Mental illness.

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Attachment C

EXPLANATION OF CODES

AGE1	Age
ALCOHOL	Use Alcohol
CAREEROP	Career Advancement Opportunities
CAREERSAT	Satisfaction With Career in Law
CHURCH	Church Activities/Prayer
DISCREP	Achievement-Aspiration Gaps
EXERCISE	Regular Exercise
HOSTILITY	Hostility
HUNTHOBB	Hunting/Hobbies
ILCTDRUG	Use Illicit Drugs
ILL	Overall Emotional and Physical Ill-Health
INCOME	Personal Income
INTWORK	Interesting/Well-Suited Work
JNCNTL	Job Control

JOB SAT	Satisfaction with Current Job
MARST	Marital Status
NUMKIDS	Number of Children Supported
OVERWRK	Deadlines/Overload
PRACTYPE	Position/Type of Practice
PRSCOMP	Sense of Personal Competence
RACE	Race
RECOG	Recognition for Achievement
REVURB	Rural/Urban Place of Work
RLCNFLT	Role Ambiguity
RLXTECH	Relaxation Techniques and Meditation
RSPNPL	Responsibility for Others
SEX	Gender
SUPPORT	Composite Scale of Family and Social Support
SWB	Subjective Well-Being
TOBACCO	Use Tobacco
TVEAT	Overeat/Watch TV
WRKHRS	Excessive Working Hours
WRKREL	Relationships with Coworkers

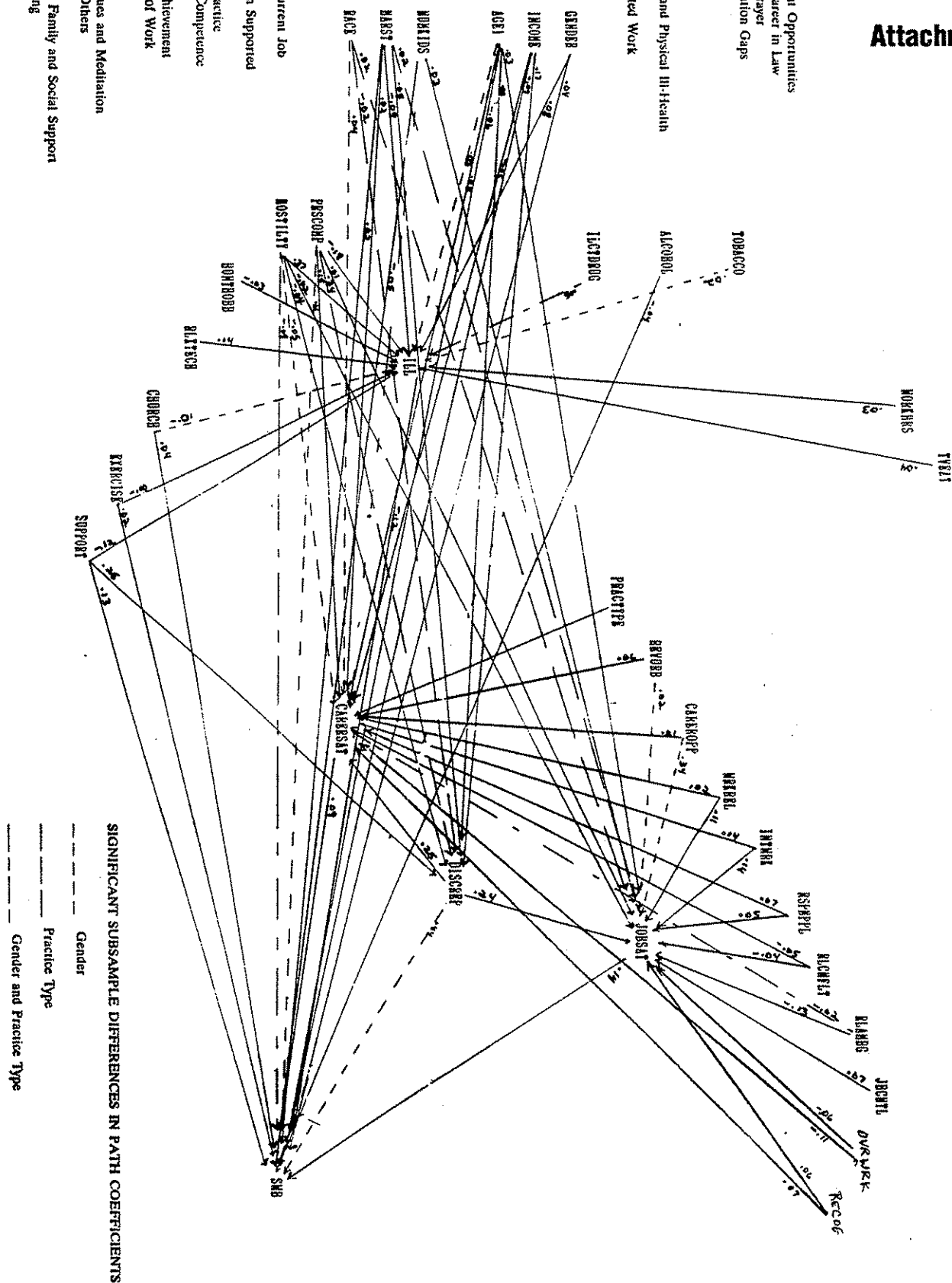


FIGURE 38
CAUSAL MODEL ESTIMATES FOR ATTORNEYS' QUALITY OF LIFE

Table 1

SUMMARY OF CAUSAL MODEL RESULTS FOR SENSE OF WELL-BEING
Significant Direct and Indirect Effects

<u>Variable</u>	<u>Direct Effect</u>	<u>Total Indirect Effect</u>	<u>Total Effect</u>	<u>Zero-Order Correlation</u>
JOBSAT	.14		.1400	.58
CARERSAT	.09		.0900	.56
PRACTYPE*		.1082		.08
REVURB		.0082	.0082	.00
CAREROPP		.0665	.0665	.41
WRKREL		.0172	.0172	.29
INTWRK		.0322	.0322	.34
RSPNPPL		.0133	.0133	.06
RLCNFLT		-.0101	-.0101	-.31
RLAMBG		-.0200	-.0200	-.36
JBCNTL		.0098	.0098	.31
OVRWRK		-.0183	-.0183	-.31
RECOG		.0147	.0147	.34
DISCREP	.44	.0900	.5300	.72
ILL	-.12		-.1200	-.45
SUPPORT	.13	.1384	.2684	.53
HOSTILTY	-.09	-.0715	-.1615	-.39
PRSCOMP	.11	.2052	.3152	.55
EXERCISE	.02	.0120	.0320	.15
CHURCH	.04	.0012	.0412	.14
RLXTECH		-.0168	-.0168	.05
HUNTHOBB		.0036	.0036	.17
ILCTDRUG		-.0005	-.0005	-.04
ALCOHOL	-.04		-.0400	-.05
TOBACCO		-.0024	-.0024	-.05
WORKHRS		-.0036	-.0036	-.08
TVEAT		-.0048	-.0048	-.09
RACE		-.0035	-.0035	.
MARST	.02	.0402	.0602	.10
NUMKIDS	-.05	.0042	-.0458	-.02
AGE1	-.06	.0120	-.0480	.10
INCOME	-.09	.0798	-.0102	.09
GENDER	.04	-.0096	.0304	.05

* Categorical variable with multiple categories. Estimate of Indirect Effect is based on squared multiple partial correlation. Correlation is multiple correlation coefficient.

