

CHAPTER I: INTRODUCTION

Introduction

The legal profession, over many years, has developed a complexity of traditions which have given it distinction. Steven Keeva, a senior editor of the *American Bar Association Journal*, described the practice of law as follows:

The legal profession, like all other cultures, functions a bit like a huge campfire around which people tell stories deep into the night. Whether the stories are humorous, outrageous, poignant, or distressing, together they capture the tone and texture of what it feels like to practice law today. (Keeva, 1999, p. 4)

Increasingly, however, the stories many contemporary lawyers tell speak of growing dissatisfaction and disappointment, with a tonal darkness nearly as deep as night itself. There is evidence of high levels of depression (Beck, Sales, & Benjamin, 1995; Benjamin, Kaszniak, Sales, & Shanfield, 1986), work addiction (American Bar Association, ABA, 1991; Sells, 1993), perceived stress (Beck, et al.), and substance abuse (Beck, et al.; Benjamin, Darling & Sales, 1990; Drogin, 1991) among lawyers. Moreover, evidence of such distress is found not only in data from empirical studies, but it is also told in the pessimistic attributions lawyers ascribe to their personal and professional dilemma (ABA, 1991; Boston Bar Association, BBA, 1997; North Carolina Bar Association, NCBA, 1991).

The purpose of this study is to investigate the relationship of

attributional style, (e.g., how a person explains bad or uncontrollable events, typically in either optimistic or pessimistic terms), work addiction, perceived stress, and alcohol abuse with depression among lawyers in North Carolina. The scant research available to date on lawyer's depression is limited to a few empirical studies (Beck, et al., 1995; Benjamin, et al., 1986; Benjamin, et al., 1990; Eaton, Anthony, Mandel, & Garrison, 1990; NCBA, 1991). However, there is not yet a clear picture of specific risk factors related to depression in lawyers. This study will begin to address the gap of knowledge in this area by focusing on depression-related variables reported in the literature, including attributional style, work addiction, perceived stress, and alcohol abuse.

Background

There are over one million lawyers in the United States fulfilling an important societal role by maintaining and strengthening our system of freedom under the law. Having this special responsibility for sustaining our quality of justice carries a professional commitment to maintaining the compulsory fitness necessary to carry out such responsibilities. This commitment includes, but is not limited to, fitting mental health qualities (North Carolina State Bar, 2003). Since the mid-1980's, concern has been raised in various reports that lawyers are experiencing depression and other distress symptoms which may have an impact on their ability to carry out their important responsibilities (Beck, et al., 1995; Benjamin, et al., 1986; Benjamin, et al., 1990). In fact, empirical evidence demonstrates that lawyers are depressed to a

greater extent than any of 104 occupations (Eaton, et al., 1990).

Studies of prospective lawyers have shown appreciable distress symptoms as early as the first months of law school (Beck, et al.; Carney, 1990), persisting well into the early years of practice. Legal training produces a sense of intense competition, hostility, and anger, which can result in dysfunctional behaviors found in work addiction, stress, and alcohol abuse. The critical result of these types of distress can be depression (Beck, et al.). Legal education concentrates on honing certain skills (e.g., logical abilities, reasoning, and verbal skills) that are considered foundations for competent practice (Carney). Such training establishes a system of values and behavior patterns that suggest logical thinking to be the primary focus of being (Elwork & Benjamin, 1995; Hibbs, 2001; Richard, 1993). In turn, such behavior "can put lawyers and their families at risk for difficulties in their relationships" (Hibbs, p. 72). From law school to law practice, the profession's conflict-driven process, with its high performance requirements and lofty expectations, is fraught with stressful circumstances that can create stressful feelings (Keeva, 1999), and place lawyers in situations of risky psychological distress.

A search for specific personality traits which might explain distinctive characteristics found in lawyers has guided several studies (Richard; Sweetman, Munz, & Wheeler, 1993). Although such studies provide interesting data, an exploration of personality traits alone cannot completely account for the high incidence of psychological distress among lawyers. Moreover, a study of specific personality

factors related to depression in lawyers was not found in the literature. A comprehensive examination of this phenomenon requires an inspection of those aspects of law practice and specific personality variables distinguishing the more salient predictors of depression in lawyers. Because depression logically relates to multiple factors, the present study takes the position that identification of significant predictors of depression in lawyers would permit a better understanding of the distress symptoms.

Attributional Style Theory

Attributional style refers to the way in which people habitually explain to themselves why events happen, and is represented as a continuum with optimism on one end, and pessimism on the other (Seligman, 1998). An individual's tendency to interpret or explain the underlying meaning of events in a characteristic way is known as attributional style. Generally, such interpretation is perceived in either optimistic or pessimistic ways (Seligman). Individuals who experience "helplessness" tend to adopt either an optimistic or pessimistic style of behavior. A pessimistic attributional style correlates with "helplessness" or depression (Alloy, Lipman, & Abramson, 1992; Anderson, 1991; Seligman), and individuals with pessimistic styles tend to stay helpless for longer periods of time (Abramson, Seligman, & Teasdale, 1978). Conversely, smaller incidences of depression are found among people with optimistic attributional styles (Anderson; Seligman). This is due, in part, to the idea that optimists tend to strive towards a goal even when progress is difficult (Scheier & Carver, 1992) or an event appears

to be uncontrollable (Seligman).

How people perceive the causes of successes and failures in life is the underlying principle in attribution theory. In general, studies on the attributional style of non-lawyers have found that persons with pessimistic styles tend to attribute bad outcomes or uncontrollable events to internal ("It's me") vs. external, stable ("It's going to last forever") vs. instable, and global ("It's going to undercut everything that I do") vs. specific causes (Peterson & Seligman, 1984). Further, causal attributions for uncontrollability are dictated by the extent to which helplessness (i.e., depression) is chronic, pervasive, and undermining of self-esteem. Recent consensus has emerged that 1) optimistic attributional styles tend to have adaptive coping skills (Carver, et al., 1993), and 2) pessimistic attributional styles are associated with negative affect (Abramson, Metalsky, & Alloy, 1989; Marshall, Wortman, Kusulas, Hervig, & Vickers, 1992).

Attributional style stems from a person's view of their place in the world and whether that view suggests value or worthiness (Seligman, 1998). For example, a prospective lawyer who enters law school with a pessimistic attributional style may be unduly affected by legal training found to be associated with negativity, anger, and hostility (Beck, et al.) and become depressed. Also, the potential for narcissistic characteristics has been reported in law students (Carney, 1990) and many experience a sense of helplessness and become depressed. In law practice, should perceived outcomes for uncontrollable events (i.e., unpredictable hours, demanding clients,

complex cases without apparent closure) become habitually viewed as negative, these attributions may be disproportionately affected by the demands of the job. For individuals with pessimistic attributional styles, uncontrollable events are found to affect self-esteem relative to all circumstances (Abramson, et al., 1978; Anderson, 1999), even with respect to health outcomes (Achat, Kawachi, Spiro, DeMolles, Sparrow, 2000; Carver, et al., 1993).

Recent studies show lawyers to be pessimistic about the state of the legal profession (ABA, 1991; BBA, 1997; McCarthy, 1994). Many lawyers report they have little personal control over their lives, and that they feel helpless. Although empirical studies and anecdotal reports suggest serious problems with depression in the legal profession, failure to escape from a sense of "helplessness" of the lawyer's situation has not been addressed. Moreover, it has been demonstrated that lawyers have little control over their work environment due to cultural expectations (ABA, 1991; BBA, 1997) and such circumstances are known to be factors for increased levels of depression (Link, Lennon, & Dohrenwend, 1993). Also, lawyers exhibit higher levels of depression than do many other occupations (Eaton, et al., 1990). Because optimism may be a more potent determinant of psychological well being in situations offering little opportunity for perceived personal control (Marshall & Lang, 1990), it remains a question whether a lawyer's attributional style is related to depression. The purpose of this study is to investigate attributional style, work addiction, perceived stress, and alcohol abuse with depression in

lawyers as a first step in exploring this relationship.

Work Addiction

A further unexamined factor related to depression in lawyers is the obsessive occupational behaviors characterized by work addiction. Excessive work performed to the exclusion of meaningful relationships or neglect of physical and emotional reactions to stress, can lead to depression, anger, and anxiety (Haymon, 1993; Robinson, 2000). Individuals who have difficulty relaxing away from work, maintaining social or intimate relationships, and who have a need for control and perfectionism, fit the clinical description of work addiction (Robinson, 1999). Such risk factors are evident in a lawyer's life. Due to the time requirements brought on by workplace cultures and the intense demands seen as necessary to perform job responsibilities, the work habits of many lawyers have led to increased hours of work, fewer vacations, (ABA, 1991), ill health (NCBA, 1991), and disruption in families (Adams, 1994).

As new lawyers begin private practice with immediate pressure to produce billable hours as well as satisfactory results (ABA, 1991), such conditions can emerge as breeding grounds for work behaviors that may become dysfunctional. The legal culture encourages patterns of perfectionism, competition, and adversarial behaviors (ABA, 1991; Carney, 1990), which, carried from work to home, lead to conflict in the family (Adams, 1994; Beck, et al., 1995; Hibbs, 2001; Keeva, 1999). Emotional detachment may be so well learned in law school and the workplace that it becomes difficult to reengage normally at home

(Hibbs). In fact, it seems rather clear that the practice of law, in many situations, is practically a laboratory of obsessive work behaviors and work addiction. Fifty percent of lawyers in private practice increased their working hours substantially within a six year period, took fewer vacation days, became frequently fatigued, and had difficulty relaxing away from the work environment (ABA). Obsessive-compulsive behaviors such as these are related to workaholism (Robinson & Chase, 2001).

From qualitative data found in a 1991 ABA study, it was reported that "workaholics should be controlled so that they do not burnout" (p. 5), and that work addiction in lawyers should be scrutinized. One anecdotal report relating workaholic tendencies to lawyers was found in the literature (Sells, 1993). Although studies have found obsessive-compulsiveness to be at high levels in lawyers (Beck, et al., 1995) and obsessive-compulsive behaviors have been seen to be related to workaholism by various researchers (Killinger, 1999; Robinson, 2001), no empirical study to date has examined workaholic tendencies in lawyers. The current study is a first step in examining work addiction in combination with attributional style, perceived stress, and alcohol abuse with depression in lawyers.

Perceived Stress

Generally, situations judged to be out of control and coupled with absent coping resources are seen as stressful (Cohen, Kamarck, & Mermelstein, 1983). Perceived stress in lawyers has been found to be harmful to psychological (Beck, et al., 1995) and physical health

(NCBA, 1991). Limited research has identified perceived stress as a correlate of depression and alcohol abuse in lawyers (Beck, et al.). The results of studies on perceived stress in lawyers have been associated with both the study and practice of law (ABA, 1991; Beck et al., 1995; BBA, 1997; Carney, 1990). In fact, stress-related factors for prospective lawyers become increasingly worse as law school progresses (Beck, et al.).

Moreover, the work a lawyer performs may be crucial to protecting a business, significant amounts of money, solving a marital dispute, or saving a life. Details associated with planning strategy and attending to case-specific nuances are important in a lawyer's work, but there is also a tendency for lawyers to be perfectionists (Hibbs, 2001; Sells, 1993). Studies of non-lawyers confirm that perfectionists are at greater risk stress, disappointment, and depression (Chang & Sanna, 2001). In addition, the life of a busy lawyer is filled with time constraints, deadlines, scrutiny, and critical judgment from others. The threat of malpractice or a grievance complaint filed by a client is always looming. All of these stress-related factors can contribute to feeling out of control. Contemporary lawyers are subjected to longer hours, greater demands of clients, required number of hours to bill clients, and negative public perception. Because many lawyers feel drained and overwhelmed from work, such stress factors have been found to be costly to social and family relationships (ABA, 1991; Arron, 1999; Hibbs, 2001; NCBA, 1991). Stress is a risk factor for lawyers because it has negative physical (NCBA, 1991; University of California-Davis,

1997) and psychological (Beck, et al., 1995; Benjamin, et al., 1990) consequences.

Because elevated levels of stress in the legal profession have been reported as early as law school and are apparent throughout the span of a legal career, and because there is limited research on perceived stress in lawyers, an examination of perceived stress in relation to other variables is important. Therefore, an exploration of a different construct is left open. The current study is a next step in examining perceived stress with depression, attributional style, work addiction, and alcohol abuse in lawyers.

Alcohol Abuse

Alcohol abuse appears to be a major precipitating factor in depression among lawyers. Empirical studies on lawyers consistently report that between 12% and 20% score above the norm for alcohol-related problems (Beck, et al., 1995; Benjamin, et al., 1986; Benjamin et al., 1990; Drogin, 1991). Furthermore, studies report that 70% of lawyers are likely to experience alcohol problems in their lifetime (Beck, et al). Moreover, data from bar associations which have programs to assist lawyers with alcohol problems supports that substance abuse is a serious matter among lawyers. For example, W.D. Carroll, Director of the North Carolina Lawyer Assistance Program (personal communication, September 7, 2003), suggests that the more serious a lawyer's disciplinary problem, the more likely that substance abuse is the underlying problem.

Additionally, prospective lawyers were shown to increase

alcohol use significantly during the course of law school (Benjamin, et al., 1986). Lawyers who practiced law for twenty or more years also are more likely to develop alcohol problems (Benjamin, et al., 1990). Reports on the drinking behavior of lawyers generally show that many lawyers drink to cope (or to believe they are coping) with the stress associated with the job (Kozich, 1989). It is known that alcohol abuse in non-lawyers is closely associated with stressful occupational situations, (Seeman & Seeman, 1992), drinking to cope (Abbey, Smith, & Scott, 1993), and depression (Holahan, et al., 2003).

Studies examining alcohol use among lawyers have not been without problems. For example, several studies exploring alcohol use among lawyers used small sample sizes and unscientific methods in reporting data (e.g., without use of psychometric instruments). A second area of concern surrounds inconsistency with comparative measures. For example, in one study, researchers compared data from a 1986 study where a self-reporting measure was used to a 1990 study where a psychometric instrument was used as the primary source to obtain information on the use of alcohol (Beck, et al., 1995). Further, while Beck, et al. did use a valid alcohol abuse measure, limitations in respondents' reporting of alcohol problems occurred. Also, Drogin (1991) reported on various empirical studies, primarily focusing on case law related to alcohol abuse in lawyers.

Yet, in all empirical studies, relationships of alcohol abuse with depression were found, and in one study, a significant relationship with perceived stress and alcohol abuse was found (Beck, et al., 1995). It

seems safe to conclude that the stressful conditions of practicing law, including high demands on time, limited freedom in fulfilling expectations, and general chronic occupational stressors, are indicative of support for further investigation of alcohol abuse. An inspection of other variables including attributional styles, work addiction, perceived stress, and depression, is the aim of the present study.

Need and Purpose of the Study

A limited body of empirical literature on depression in lawyers suggests there are signs that the personal and professional well being of lawyers is in serious trouble (ABA, 1991; BBA, 1997; Beck et al., 1995; Benjamin, et al., 1986; Benjamin, et al., 1990; Carney, 1990; NCBA, 1991). The small body of literature lacks continued foci to assist researchers and counselors better understand the multiple factors associated with this problem. One gap in the literature is the provision of adequate samples which show significant relationships. Another missing aspect is the use of valid psychometric instruments which can distinguish relationships in a sound, scientific manner. Finally, missing aspects in the empirical studies of depression in lawyers are a 1) personality variable, and 2) work addiction variable.

The current study will address these missing pieces by providing an adequate sample to test these relationships. This study also will use psychometric instruments that are high in validity and reliability to test the participants on attributional style, work addiction, perceived stress, alcohol abuse, and depression in lawyers. Because lawyers are trained and work in a unique culture, the inclusion of a

personality variable and work addiction variable will be used in the construct, providing more comprehensive data for analysis. Few, if any, of the variables studied previously identified as possible predictors of depression in lawyers operate independently. Thus, this construct could provide theorists, researchers, and counselors with pragmatic knowledge concerning the unique culture of lawyers and add to the literature relating to the psychosocial issues which confront the legal profession.

Significance of the Study

Lawyers play an important societal role maintaining our system of justice under the law. Various researchers (ABA, 1991; BBA, 1997; Beck et al., 1995; Benjamin, et al., 1986; Benjamin, et al., 1990; Carney, 1990; NCBA, 1991) have expressed concern that lawyers are experiencing depression, work addiction, perceived stress, and alcohol abuse at levels which may impact their ability to carry out important responsibilities. This study is important because two new variables will be added to the literature regarding the potential predictors of depression in lawyers.

First, pessimistic attributional style has been found to be related to depression in multiple studies (Alloy, Lipman, & Abramson, 1992; Anderson, 1999; Carver, et al., 1993; Peterson & Seligman, 1984; Seligman, 1998). Aspects of attributional style will be examined for relevance to the way lawyers may develop depression. Second, work addiction will be examined because it is believed to be chronic in the legal culture (Hibbs, 2001; Sells, 1993), and can lead to isolation from loved ones and destruction of families (Killinger, 1991; Robinson, 1998; 2000; Robinson & Chase, 2001). While there is a body of evidence suggesting work addiction to be associated with depression (Haymon, 1993; Killinger, 1991; Robinson, 1998; 2000), to date no examination of work addiction with depression in lawyers has been conducted. In addition, studies of non-lawyers have shown that both work addiction and pessimistic attributional styles can produce harmful effects on

health. Work addiction and pessimistic attributional styles have been found to be associated with depression, also.

Importantly, counselors may find the results important in working with clients who are at risk for depression and who are considering a legal career, or with those who currently practice law and exhibit symptoms of stress, alcohol abuse, work addiction, or depression. Specifically, career counselors may (1) gain additional insight into the personality styles of lawyers, (2) more effectively assist those considering a legal career by having a clearer understanding of both the rewards and inherent risks associated with the practice of law, and (3) be helpful to those lawyers seeking alternative careers. Substance abuse counselors also may come to a better understanding of the impact of alcohol dependence in relation to attributional styles, work addiction, stress, and depression in lawyers. These data may be especially helpful for substance abuse counselors who want to (1) expand their services and knowledge to other process addictions (i.e., workaholism), and (2) gain some awareness of the complexities encountered when patterns of work addiction are found in combination with alcohol problems.

Finally, family counselors also may (1) expand their knowledge base of dysfunctional work patterns and related consequences by assisting lawyers and their families to cope more effectively through treatment, (2) be more attuned to the signs and symptoms of work addiction in lawyers (and other populations) and engage in appropriate assessment procedures, and (3) may gain more specific knowledge of and awareness in screening children found to exhibit patterns of parental workaholism. By and large, counseling professionals can use these data in meaningful ways by assisting other high performance professionals with similar challenges.

Assumptions

The present study declares the following assumptions:

1. The instruments to be used in the present study are all self-report measures. It is assumed that the participants have the ability to

and will respond in a trustworthy manner, and that these results will accurately represent depression, attributional style, work addiction, perceived stress, and alcohol abuse as defined by the specific instruments.

2. Since this is a random sample, the sample population is representative of lawyers in North Carolina.

3. The educational levels of the sample population will be the same.

Limitations

1. This study is confined to those lawyers who are actively practicing law in the state of North Carolina.
2. Because this is a correlational study, causality cannot be implied.
3. This study cannot insure that there is no non-response bias.

Delimitations

1. This study will use a convenience sample of lawyers who currently reside in North Carolina and are accessible to the researcher through a disc provided by the North Carolina State Bar consisting of practicing lawyers in the state.

Operational Definitions

Alcohol abuse is a condition brought on by excessive use of alcohol. It will be measured in this study by a brief, non-confrontational instrument, intended to screen for alcohol abuse, by the Alcohol Use

Disorders Identification Test (AUDIT) (Saunders, Aasland, Babor, de la Fuente, & Grant, 1993).

Attribution theory is a central issue in social psychology suggesting how people explain the events that happen to them, generally in optimistic or pessimistic terms.

Attributional style (or explanatory style) refers to the characteristic manner in which an individual explains relevant events that happen to them, as measured, in this study, by the Life Orientation Test-Revised (Scheier, Carver, & Bridges, 1994).

Depression is a condition found when an individual exhibits symptoms of a persistent despairing disposition, loses a sense of contentment and meaning, and begins to develop diminished pleasure, fatigue, and anxiety (American Psychiatric Association, 2000).

Depression will be operationalized in this study by the Center for Epidemiological Studies-Depression scale (Radloff, 1977).

Dispositional optimism is a tendency to believe that bad events are temporary, short-lived, and non-specific to the self. Dispositional optimism will be measured by the Life Orientation Test-Revised (Scheier, Carver, & Bridges, 1994).

Dispositional pessimism is a tendency to believe that bad events will be long-lasting, uncontrollable, global, and internal to the self.

Dispositional pessimism will be measured by the Life Orientation Test-Revised (Scheier, Carver, & Bridges, 1994).

Lawyer (attorney) "An agent or substitute or one who is appointed and authorized (under applicable law) to act in the place or stead of

another" (Black, 1979, p. 117). The definition of lawyer will be operationalized in this study by those who have active licenses in North Carolina.

Perceived stress is a relationship between the person and the environment that is appraised by the individual as taxing or exceeding his/her resources and endangering a sense of well-being. Perceived stress will be operationalized in this study by the Perceived Stress Scale (Cohen, Kamarck, & Mermelstein (1983).

Work addiction is a compulsive disorder, an over-involvement and preoccupation with work, often to the exclusion of the workaholic's social and intimate relationships, health and family. Work addiction will be operationalized in this study by the Work Addiction Risk Test (Robinson, 1999).

Research Questions

1. Is there a relationship between (a) depression and attributional style, (b) depression and work addiction, (c) depression and perceived stress, and (d) depression and alcohol abuse in North Carolina lawyers?
2. In lawyers, do (a) attributional style, (b) work addiction, (c) perceived stress, (d) and alcohol abuse predict depression in lawyers?

Research Design

Survey research method will be used to collect data.

Correlational methods will be used to examine the relationship between depression (dependent variable), and (a) attributional style, (b) work

addiction, (c) perceived stress, and (d) alcohol abuse (independent variables).

Organization of the Study

Chapter one introduced the research problem and highlighted the significance of the study, the need for the study, defined terms, posed research questions, and described the method to be used to address the research questions. Chapter two presents a review of relevant literature on depression in lawyers, attributional style theory, work addiction, perceived stress, and alcohol abuse in lawyers. Chapter three describes the methodology used in the study, including the procedures, research design, and description of participants, instruments, and data analysis. Chapter four describes the results of the study, and Chapter five discusses the study, offering limitations, recommendations for future research, counseling implications, and conclusions.