

# Reducing law office stress

## What really works?

By **Emily Morrow**

**As you know**, approximately six months ago New Zealand enacted the Health and Safety at Work Act (HSWA) which focuses on identifying, minimising and eliminating risks associated with inherently high risk aspects of the workplace.

Unlike manufacturing and similar industry sectors that pose the risk of obvious physical injury, the practice of law involves less tangible but yet real risks.

In particular, stress is a chronic and ubiquitous risk for lawyers and non-lawyers in law offices. Lawyers have high rates of depression, substance abuse, job dissatisfaction and general unhappiness. In fact, in many surveys lawyers rank among the least happy people professionally (and often personally as well).

Assuming the HSWA now requires workplaces to identify their high risks and respond proactively to lower those risks, this means law offices are now legally required to identify causes of stress in the workplace and successfully address them. It's no longer just a good thing to do. It's non-optional and there could be unpleasant consequences for failing to do so.

Some law firms, to their considerable credit, are seeking to take a more proactive stance in identifying and addressing stress as a workplace risk. Whether this focus is in response to the HSWA or a genuine desire to help is less important than the fact that the issue is now more front and centre than it used to be. It's about time and it is happening none too soon.

Clients ask me how to reduce stress in law offices to minimise the physiological, psychological, emotional and intellectual dangers that chronic stress exposure entails. How can management identify the sources of stress and do something about them? What would success look like?



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Generally speaking, there are two approaches to this challenge. One is what I think of as “externally generated articulation of problems and solutions” and the other is “internally generated articulation of problems and solutions”. What are these and how well do they work?

### **Stress management, work-life balance workshops, seminars, articles and books**

Many workshops are available for managers, lawyers and others in law offices on how to reduce stress. These tend to focus on time management, resilience training, better delegation, enhanced communication, building high trust relationships, improving collaboration, work-life balance and so forth. They are a classic example of an externally generated articulation of the problem and solutions. Someone outside the organisation defines what stress is, what causes it and how individuals and groups should cope with it.

Similarly, many professional articles and books discuss stress management, focusing on work-life balance, health and wellness, exercise, and the like. Again, these identify common concerns and suggest some useful coping strategies.

The primary advantage of such seminars and workshops, and articles and books is that they are relatively easy for a law office to offer to its employees. An entire group can attend a workshop together and learn about techniques they can use in the workplace. From a financial and time management perspective, a one- or two-hour seminar can



appear to be a cost-effective way to reduce stress and encourage sustainable work style choices.

However, such workshops, seminars and articles typically offer a “one size fits all” approach. The strategies they suggest are not tailored to the unique culture and needs of a particular law office. They are “bolt on” solutions that tend not to create long-term, significant change. The benefits don’t embed because the solutions are externally generated and not aligned with what causes stress in that particular office. The focus is on symptom management rather than cause elimination.

At best, generic stress management seminars offer some techniques that can be useful in stressful situations to reduce obvious symptoms. At their worst, a law office can be cynically viewed by its employees as offering “lip service solutions” without committing to doing something about the underlying causes of stress.

When what management says and what it does misalign, it presents as hypocrisy. If management sponsors the seminar and then engages in behaviours that increase employee stress levels (intentionally or otherwise), the result is counterproductive.

### **Training the trainers**

Another externally generated approach is to enrol selected people in a law office (such as the GM, HR manager, heads of departments, managing partner), in stress management training sessions, usually offsite.

Thereafter, these in-house “trainers” are encouraged to

work with others in the office to enhance stress management capabilities. Such training programmes are more comprehensive and higher quality than a typical group workshop or seminar. The training sessions often include specific instruction (and sometimes practice) in working with groups, facilitation skills, diagnostics and symptom management.

The “train the trainers” approach can be effective, particularly in law offices with existing strong internal management and leadership. In such offices, the in-house training can fit into an existing training and development curriculum. If the in-house trainers have some professional expertise in HR, psychology or group dynamics, the outcomes are usually better.

Like workshops and seminars, a “train the trainers” approach can provide practical suggestions to individuals and groups in terms of how to address stressful situations in a seemingly cost-effective way.

However, training the trainers is also an externally generated intervention that provides ready-made approaches which may or may not be appropriate to the needs of a particular law office. This approach focuses on symptom management rather than identification of the chronic causes of stress within a particular firm, dysfunctional habitual responses and tailored solutions.

### **An internally generated stress reduction approach**

Having led and participated in workshops and seminars

and “train the trainers sessions” for lawyers and other professionals, I question the long-term efficacy of these interventions. Although participants often report the sessions are helpful, from what I have observed the benefits have been short term. Such approaches can provide some temporary relief but, not surprisingly, they do not significantly move the needle on the dial long term.

It is also predictable. Externally generated definitions of a problem and ready-made solutions don't take root in a human system the way that internally generated, tailored ones do. No one is invested in them and they don't fit well. Easy come, easy go.

Here's what I have found does work: A carefully planned discussion with a highly motivated group focusing on what causes their stress and how to address that. This approach works because it is internally generated and highly specific. There are no off-the-shelf solutions or inaccurate assumptions.

*Change invariably occurs when a motivated group of capable people agrees about what needs to be done and non-negotiably commits to doing it.*

Who should participate in such a discussion? The answer is: “It depends”.

It could be partners who are overwhelmed by their workload, junior lawyers who are struggling to cope with increased responsibilities or senior associates dealing with the stress of becoming partners. It's often best to start with the group that is experiencing the greatest level of stress within an office. They are typically the canaries in the mine and the causes/solutions they identify can be helpful for everyone else in the office.

Regardless of the group involved, the following basic structure works well:

### 1. Identify who should participate in the discussion

Typically, I do this by speaking with the HR manager, GM, firm administrator, managing partner, management committee or any combination thereof. I ask: “Who is experiencing the greatest chronic stress in your office and not dealing well with it?” The response tells me who needs to be part of the discussion.

### 2. Interview prospective discussion participants and other thought leaders within the office

It's helpful to interview several prospective participants, plus others who have a good grasp of what is going on. This might be partners, management or others and it gives me a sense of the status quo and how to facilitate the discussion. I often ask: “What will be important to discuss?” and “What optimal outcomes might there be for the discussion?”

### 4. Plan the discussion

Based on the interviews, I prepare a discussion agenda covering the following:

- What typically causes stress for the group?
- How has the group responded historically to these stressors? What has been helpful or unhelpful in the past?

- What are the objectively identifiable symptoms that the stress level is rising? What individual and collective behaviours are associated with this?
- How might the group, individually and collectively, respond differently to the usual stressors? If the group can identify what causes stress, then it can design new thought patterns and behavioural changes to get better outcomes. What specifically needs to be done to ensure these new responses will be implemented in real time, under stress, when they are most needed?
- What next steps do discussion participants need to commit to undertaking individually and collectively? Who will do what and when?

### 5. Outcomes

Discussion outcomes typically include a clearer definition of what creates stress, how it spreads among members of the group and new approaches to minimise its impact. The group usually comes out of the discussion with increased insight about how it functions and a strong commitment to change what is not working well.

### 6. Sharing the work product

If the group does not include senior management and partners (say, for example, if it is a group of junior lawyers within a firm), I often suggest that a written outcomes summary be prepared and shared with management. In this way, management can support the process rather than inadvertently blocking the group's success. In addition, there may be changes that the partners, for example, would be well advised to make in how they do their work to reduce stress for others in the firm. In many cases, such changes enhance overall efficiency both for the partners and others.

### 7. Keeping the momentum going

Sometimes the discussion will result in formation of a “stress management working group” to monitor how things are going and suggest next steps. This can be an excellent way to ensure long-term success by giving an identifiable group of people the authority to follow the process through.

A high quality discussion and proactive follow-up typically correlate with long-term stress reduction, as well as enhanced morale, productivity and retention rates. These latter outcomes are usually not the focus of such discussions, but they are a natural outgrowth of stress reduction. Not only is this good for your people, but it is also good for your practice. ■

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