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Lawyers' Problems and their Relationship with Perceived Stress and Occupational Burnout: A Study on Lawyers Practicing Civil and Criminal Law

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ARTICLE DETAILS	ABSTRACT
History: Accepted 23Nov 2020 Available Online 31 Dec 2020	<p><i>The major objectives of the study were to identify the level of perceived stress and burnout among lawyers and to elucidate the relationship between various occupational problems among civil and criminal lawyers. The mediating effect between lawyers' perception of problems, with respect to nature of specialization (i.e. criminal and civil law), perceived stress and burnout was also studied. This cross-sectional and correlational study was conducted on a sample of N = 535 criminal and civil court lawyers, n = 255 (47.7%) and n = 280 (52.3%), respectively. Lawyers Perception of Problem Scale (LPPS), Oldenburg Burnout Inventory (OBI) and Perceived Stress Scale (PSS) were administered. A positive relationship between occupational stress and occupational burnout was found. The criminal court lawyers reported higher stress and more family problems than the civil court lawyers. Highly experienced lawyers have reported lesser levels of stress. Results from multiple regression show that financial problems and police involvement significantly predict occupational stress. A mediating effect of perceived problems was also found between type of specialization and stress and burnout. Overall, less experienced and criminal court lawyers face more problems related to family, finances, and security, and they also perceive more stress and burnout.</i></p>
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1. Introduction

The current study aimed at exploring relationship between lawyers' problems, occupational stress, and burnout. It mainly derives its ideas from two theoretical perspectives i.e. Lazarus and

Folkman's transactional theory of stress (Lazarus & Folkman, 1984) and Cox and Mackay's (1976) model of stress. Stress can affect people from all walks of life and can lead to both physical and psychological health problems. "Stress is any uncomfortable emotional experience accompanied by predictable biochemical, physiological and behavioral changes" (Baum, 1990). Stress can be extrinsic and related to the occupational settings, but can be intrinsic where a person encounters uneasiness, discomfort, and burden and inconvenience (Jones, Bright, and Clow, 2001). It may include stress from home, medical concerns related to self, friends and relatives (Bromberger and Matthews, 1996) or with job demands, staff issues, customers dissatisfaction, expectations from colleagues, issues with senior or junior associates, absence of help and over time (Rothmann, Colff, and Rothmann, 2006). These stressors have been known to influence burnout, job fulfilment, and physiological, social, and psychological cycles (Young, Schieman and Milkie, 2014). In a study by Elder et al. (2019) workload appeared as a major factor in perception of the working environment and was a frequently occurring stressor. Death or sexual abuse of a child was the highest rated stressor, despite relative infrequency of exposure. Lambert, Boyle, Fitchett, and McCarthy (2019) examined occupational stress, occupational commitment, and intention to remain in teaching. Teachers who perceived classroom resources as sufficient reported they would become a teacher again. Ma et al. (2015) found police officers working the afternoon and night shifts reported more stressful events than day shift officers for total stress, administrative/professional pressure, and physical/psychological danger. Studies show that hassle, conflicts and confrontational nature of occupation can have harmful effects on health (Dimsdale and Moss, 1980). The vital part of occupational burden is due to excessive workload for a law person (Kriti et al., 2004). Their working style includes harsh relations with colleagues, and workplace bullying and conflicts (Mire, and Owens, 2014), and workplace violence (Peters, Portnoy, and Silver, 2004). Lawyers have described that the hassles of their work do not permit them to have a sustaining non-work life (Allen, 2001). It has been found that major source of stress for lawyers is family conflict (Hopkins, 2011). Family support plays a vital role which makes their work effortless (Wallace, 2002). For female law persons, number of complications are even higher due to imbalance in office work and household responsibilities (Anderson & Anderson, 2003). One of very important causes of occupational stress in law persons is lack of independence and higher expectations of managing a smooth system (Çekmecelioglu, 2013). Lawyers face many issues mostly behavioral and psychological in nature which may lead to burnout. Burnout can be characterized by fatigue, negativity, and inefficacy which can be an aftereffect of occupational stress (Maslach, Leiter, and Schaufeli, 2009). People experiencing burnout may show indications similar to depression (Maslach, 2001). Heightened levels of stress ultimately lead to burnout which has great impact on job performance (Hasnain, Naz & Bano 2010). Occupational burnout is identified by exhaustion, absence of energy and motivation, sentiments of pointlessness, also may have the component of disappointment leading to decreased adequacy inside the workplace (Ruotsalainen, Verbeek, Marine, and Serra, 2015). Freudenberger (1972) regarded burnout as the substantial mental depletion of one's vitality. Burnout yields helplessness, sleepiness, and fatigue as a result of inaccurate or outrageous utilization of one's vitality (Paisley and Powell, 2007). Occupations with unusual degrees of burnout contain public workers, medical attendants, legal mentors, engineers, doctors and police personnel (Jackson, Schwab, and Schuler, 1986). Maslach and Leiter (1997) explained the polarities of burnout and work commitment. Commitment is considered by vitality, association, and viability in contrast to weariness, pessimism, and inefficacy causing burnout. Burnout is the consequence of a mind confusing relationship between ecological and individual variables (Maslach, 2001; Maslach, Leiter, and Schaufeli, 2009). Work situations that place experts at the most notable danger for burnout constitute several demanding skills (Maslach, 2001; Schaufeli and Buunk, 2003). Under the fulfilment of these skills lawyers work extended periods of time against challenging

partners with almost no guidance and have to give their best for the case independent of their own beliefs. Lawyers frequently display type A personality characteristics (goal-oriented, self-made, composed, highly accomplishing etc) by being effective in graduate school and at the lawful field. The combination of individual characteristics and occupational demands without a doubt adds to a high number of mental and social issues in lawyers (Jex, 2002). The reasons for burnout might be categorized into two particular classifications: work settings and individual (Krill, Johnson, and Albert, 2016). Causes identified with the work condition incorporate the opposition inside the work settings, job demands and restricted resources. The individual causes of burnout may include less adaptation to stress, lack of inspiration and distress (Ruotsalainen, et.al. 2015). Negative outcomes of burnout may be identified with coronary illness, blood circulatory issues, emotional well-being issues such as depression and nervousness. Huge decreases in nonverbal memory, hearing and vision impairment have also been found (Sandstrom, et.al, 2005).

The present study plays a vital role in assessment of prevalence and addresses interrelationship of occupational stress and burnout among lawyers through psychometrically sound instruments. The current study has the following objectives

- To establish the relationship between lawyers' problems, occupational stress and burnout among lawyers.
- To identify the mediation of lawyer's problems between their nature of specialization and stress and burnout.
- To establish difference of stress and burnout between civil and criminal court lawyers.
- To establish difference of stress and burnout according to practicing experience of lawyers.

2. Method

The present research comprised of two studies i.e. development and validation of an indigenous scale to address lawyers' problems, and the main study. Study-I was conducted to identify the potential areas associated with significant stress and burnout among lawyers. Initially, focus groups were carried out with lawyers, the information obtained from those groups was used to develop an indigenous instrument to measure the key indicators of occupational problems among lawyers (Qureshi, 2020). The main study was conducted on a larger sample to establish the relationship between lawyers' problems, occupational stress and burnout.

3. Participants

The sample ($N= 535$) was divided into two categories: criminal lawyers ($n= 255$) and civil lawyers ($n= 280$). As female law practitioners are comparatively very few, the sample largely consisted of male lawyers ($n = 523$). Only those lawyers were included who were currently practicing in courts. Those lawyers were excluded whose licenses to practice in courts were expired, had licenses but were not practicing in courts, and/or were employed by some governmental organization. The mean age of the participants was 33.34 years. 12.5% of lawyers had less than 5 years of experience, 45.7% had an experience of up to 15 years, 34.8% had up to 25 years of experience, and 6.91% had an experience of up to 35 years.

4. Instruments

4.1 Lawyers Perception of Problems Scale (LPPS)

An indigenous scale to address lawyers' problems was constructed (Qureshi, 2020). The item pool was generated after conducting several focus groups. 12 items were retained by the principal

component analysis and 4 factors were identified including: financial problems, security concerns, police involvement, and relationship problems. The scale shows very high Cronbach alpha reliability ($\alpha = .95$) with reliabilities of its subscales ranging from .81 to .91.

4.2 Perceived Stress Scale

It is a unidimensional brief measure of stress and is comprised of 10-items developed by Cohen, Kamarck, & Mermelstein, (1983). Participants have to rate on the scale ranging from 0 (Never) to 5 (Very often). High scores indicate higher level of stress and vice versa. The scale showed a good Cronbach alpha reliability of .83 in the present study.

4.3 Oldenburg Burnout Inventory

It is a 16 items scale developed by Demerouti, and Nachreiner (1998). The scale is multidimensional and is comprised of two subscales of 1) exhaustion and 2) disengagement. Participants rated their responses on the scale ranging from 1 (strongly agree) to 4 (strongly disagree). High scores on the scale indicate higher levels of the burnout and vice versa. The scale showed Cronbach alpha reliability of .78 in the present study.

5. Procedure

Formal permission letters were obtained from the lower and high courts established at south Punjab. Participants were approached at their chambers and were provided with the booklet containing research instruments and a demographic information sheet. Participants were ensured about their anonymity and confidentiality of the information. They were told that the study was part of the PhD research project and the information provided from them would not be used for any commercial purposes. While most of the lawyers cooperated with researchers in providing information, a few of them showed their concerns and withdrew from research. The average time to complete the questionnaire was 20-30 minutes. After the completion of the questionnaires participants were thanked and asked to investigate any queries. The data obtained from participants was later statistically treated with SPSS version 21 (IBM, 2012).

6. Results

Table 1: *Descriptive statistics and psychometric properties of the variables under investigation (N = 535)*

Variables	M	SD	α	Range		Skew	Kurtosis
				Actual	Potential		
PSS	2.42	.42	.83	.70-2.90	0-4	.04	-1.46
OBI	2.59	.29	.78	1.94-3.00	1-4	-.09	-1.81
LPPS	2.33	.42	.95	1.67-3.25	1-4	-.12	-1.72
FP	2.16	.38	.87	1.00-4.00	1-4	-.14	-1.79
SC	2.35	.40	.80	1.00-4.00	1-4	-.10	-1.65
PI	2.40	.35	.90	1.00-4.00	1-4	-.15	-1.84
RP	2.15	.38	.91	1.00-4.00	1-4	-.14	-1.83

Note: PSS = Perceived Stress Scale; OBI = Oldenburg Burnout Inventory; LPPS = Lawyers' Perception of Problems Scale; FP = Financial Problems; SC = Security Concerns; PI = Police Involvement; RP = Relationship Problems

Table 1 show that all the scales have satisfactory internal consistency reliability coefficients. The values

of skewness and kurtosis indicate that score distributions are closer to normal.

Table 2: Pearson correlations between the variables under investigation (N =535)

Variables	PSS	OBI	LPPS	FP	SC	PI	RP
PSS	1	.566**	.756**	.655**	.633**	.752**	.065**
OBI	-	1	.845**	.753**	.752**	.830**	.714**
LPPS	-	-	1	.892**	.890**	.855**	.867**
FP	-	-	-	1	.830**	.768**	.607**
SC	-	-	-	-	1	.755**	.603**
PI	-	-	-	-	-	1	.928**
RP	-	-	-	-	-	-	1

* $p < .05$, ** $p < .01$

Table 2 shows that perceived stress has significant positive correlation with burnout ($r = .56$, $p < .01$) and with lawyers' perceived problems ($r = .76$, $p < .01$). Burnout has significant positive correlation with lawyers' perceived problems ($r = .84$, $p < .01$).

Table 3: Mean differences of perceived problems, stress and burnout between criminal and civil court lawyers (N = 535)

Variables	Criminal		Civil		t	p	95% CI	
	M	SD	M	SD			LL	UL
PSS	2.534	.41	2.336	.41	5.313	.000	.118	.257
OBI	2.593	.30	2.582	.29	.418	.338	-.039	.061
LPPS	2.370	.42	2.290	.41	2.230	.013	.010	.151
FP	2.197	.39	2.119	.37	2.380	.009	.014	.143
SC	2.387	.40	2.312	.38	2.183	.015	.008	.142
PI	2.433	.35	2.379	.35	18.827	.034	-.004	.114
RP	2.181	.39	2.128	.37	1.628	.052	-.011	.118

Table 3 shows results of independent samples t-test. Criminal court lawyers have more perceived problems and perceived stress ($p < .05$) than civil court lawyers. No statistically significant difference in levels of burnout was observed between the two groups.

Table 4: Mean Differences among lawyers in terms of their experience of legal practice (N = 535)

Variable	Below equal to or 5 years		6 to 15 years		16 to 25 years		26 to 35 years		F	p	Post-Hoc
	(n = 20)		(n = 20)		(n = 20)		(n = 20)				
	M	SD	M	SD	M	SD	M	SD			
PSS	2.58	0.39	2.42	0.43	2.42	0.41	2.12	0.25	9.98	< .000	1>2>3>4
OBI	2.6	0.3	2.57	0.3	2.59	0.3	2.51	0.25	2.5	0.58	1>3, 1>4, 2>3, 3>4
LPS	2.43	0.42	2.32	0.42	2.33	0.41	2.31	0.31	3.81	< .010	
FP	2.57	0.37	2.14	0.38	2.16	0.38	2.01	0.38	3.73	< .011	1>3, 1>4
SC	2.43	0.4	2.35	0.39	2.32	0.4	2.22	0.39	2.42	0.65	

PI	2.48	0.35	2.34	0.35	2.41	0.35	2.25	0.27	3.58	<.014	1>2, 1>4, 2>4
RP	2.22	0.37	2.13	0.38	2.17	0.38	2.01	0.35	3.24	<.022	2<3, 2<4

Table 4 shows results of one-way ANOVA and post-hoc analyses (Bonferroni statistics). Lawyers with more than 25 years of experience have depicted significantly lower scores on stress ($M = 2.12$, $p < 0.001$), and burnout ($M = 2.51$, $p > 0.05$). More experienced lawyers also have significantly lesser perceived problems than new entrants into the field.

Table 5: Linear Regression Analysis for mediation of lawyer's perceived problems between type of legal practice (civil or criminal) and burnout (N = 535)

Variables	Burnout			
	Model 1 B	Model 2		
		95% CI		
		B	LL	UL
Constant	2.45**	1.12**	1.02	1.22
Legal practice	-.08**	.04**	.01	.06
LPPS		.60	.57	.63
R ²	.01	.72		
ΔR ²		.71		
F	4.97	675.47		
ΔF		670.5		

** $p < .05$

In table 5 the model tells that type of legal practice negatively affects burnout ($\beta = -.08$, $p < .05$). There is also a significant direct effect of legal practice on burnout ($\beta = .04$, $p < .05$). Mediation was observed as there is a significant indirect effect of type of legal practice on burnout with lawyers' perceived problems acting as a mediator ($-.05$, $CI = -.09$, $-.006$).

Table 6: Linear Regression Analysis for mediation of lawyer's perceived problems between type of legal practice (civil or criminal) and perceived stress (N = 535)

Variables	Perceived Stress			
	Model 1 B	Model 2		
		95% CI		
		B	LL	UL
Constant	2.45**	.88**	.73	1.04
Legal practice	-.08**	-.13**	-.17	-.08
LPS		.74	.69	.80
R ²	.01	.59		
ΔR ²		.58		
F	4.97	390.31		
ΔF		385.34		

** $p < .05$

Table 6 shows that legal practice negatively affects perceived stress ($\beta = -.08$, $p < .05$). There is

significant direct effect of legal practice on perceived stress ($\beta = -.13, p < .05$). Mediation was observed as there is a significant indirect effect of type of legal practice on perceived stress through lawyers' perception of problems ($-.06, CI = -.11, -.008$).

7. Discussion

The current study aimed at exploring relationship between lawyers' perceived problems, perceived stress and burnout. The alpha reliability of the subscales and the full-scale reliability of LPPS was well within the acceptable range ($\alpha > .80$). The Oldenburg Burnout Inventory and Perceived Stress Scale also showed reliability coefficients of .83 and .78, respectively. The results from multiple regression show that financial problems and police involvement significantly predict occupational stress. The relationship of various work-related stressors with resulting stress has been observed in several other professions (Elder et al., 2019; Lambert et al., 2019; Ma et al., 2015). Furthermore, the findings indicated that overall scores and financial problems significantly predicted the burn out among lawyers. Such finding has a meaningful interpretation in the cultural context and has relevant implications (Kausar, et. al., 2019). Excessive workload for lawyers is an important part of occupational burden. This point is mentioned in literature (Kriti, et.al, 2004). The work-life imbalance is associated with heightened amount of stress (Burkett, 2010). The findings have a consistent support in studies of various other professions including teaching and medical staff. The findings suggested a significant mean difference of occupational stress between two types of specializations, with criminal lawyers reporting higher stress than the civil lawyers. However, no difference in levels of burnout were observed. Criminal lawyers are usually engaged in more threatening lawsuits dealing with murders, rapes, terrorism, and other high-profile criminal cases that can, on some occasions, have damaging and life-threatening consequences. Criminal lawyers scored significantly higher on perceived problems than civil lawyers. Significant differences were noted in family problems and police involvement where criminal lawyers provided stronger responses than civil lawyers. With passage of time and after gaining enough experience of the field, it becomes somewhat natural to absorb many occupational problems and develop effective resilience This assumption is also supported by the results as lawyers with an experience of 25 years or more, in comparison to relatively less experienced lawyers, showed significantly lesser levels of occupational stress, perceived occupational problems, financial problems, police involvement problems, and relationship problems.

The study found a negative indirect effect of nature of specialization (criminal vs civil) on occupation stress with the mediation of lawyers perceived problems. A study on medical professionals (Grace & VanHeuvelen, 2019) found evidence that higher status healthcare workers—physicians and nurse practitioners—were more likely than their colleagues to report work-life conflict, irregular work hours, and heavy work pressure. Mediation of perceived problems was also observed with a negative effect of type of profession on burnout. The findings indicated that criminal layers reported more burnout than civil lawyers. The mediation assumptions are derivatives of Lazarus and Folkman's Transactional theory of stress (Lazarus and Folkman, 1984) and Cox and Mackay's (1976) model of stress. Cox and Mackay (1976) suggested that stress is due to a dynamic transaction between the individual and the environment. Important to this model is the individual's cognitive assessment of the perceived demands made on him or her, and that individual's perceived capability to deal with those demands. Lazarus and Folkman's transactional theory of stress and coping (Lazarus and Folkman, 1984) states that individuals are constantly appraising stimuli within their environment. This appraisal process generates emotions, and when stimuli are appraised as threatening, challenging, or harmful (i.e., stressors), the resultant distress initiates coping strategies to manage emotions or attempt to directly address the stressor itself.

8. Conclusion

The findings suggest a positive relationship between lawyers' problems, occupational stress and burnout. A mediation of lawyers' problems between their specialization and stress and burnout was also observed. Criminal lawyers seem to have more problems than civil lawyers especially financial, security related and police involvement related. Criminal lawyers also reported heightened stress than civil lawyers. Married lawyers have also reported more problems especially financial and security concerns. Highly experienced lawyers have reported lesser levels of stress, and lesser problems than relatively younger lawyers. The findings indicated that financial problems have significant role in development of the burnout among lawyers. This might be the potential reason that lawyers do not prefer routine check-ups in Pakistan and are often involved in unhealthy behaviours including lack of physical activities and smoking. The problems of lawyers are required to be addressed at multiple levels. At first, psychosocial support interventions aiming to reduce stress associated with financial problems is paramount. Similarly, government can develop a support program and initiate a discourse to financially support the lawyer particularly in their early careers.

9. Limitations

Important gender-based comparisons could have been made if enough females were included in the sample. The study was based on cross-sectional design. The survey method is limited in its application as no causal statement can be given. Experimental studies with interventions to reduced stress and application of various coping strategies can be designed for future research. The study only focused on relatively older theoretical approaches (i.e. Lazarus and Folkman's transactional theory, and Cox and Mackay's stress model). More studies can be designed to assess various other models of stress especially Diathesis-Stress model, Jobs-Demands Resources model, and Effort-Reward Imbalance model. Dumitrescu, (2014) reported that psychotherapeutic interventions reduced occupational stress. This study was not interventional in nature, as its focus was more on identifying lawyers' problems and their relationship with stress and burnout. More interventional studies are recommended for lawyers to make them more resilient in this highly demanding profession.

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