



Law Society
of Ontario

Barreau
de l'Ontario

Stress Management for Legal Professionals

CHAIR

Dr. Mamta Gautam MD, MBA, FRCPC, CPDC, CCPE, CPE, President and CEO
PEAK MD

April 10, 2024



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Stress Management for Legal Professionals

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Stress Management for Legal Professionals

CHAIR: **Dr. Mamta Gautam**, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

April 10, 2024

10:00 a.m. to 12:00 p.m.

Total CPD Hours = 2 h Professionalism ^P

**Law Society of Ontario
Webcast Only**

SKU CLE24-00403

Agenda

10:00 a.m. – 10:05 a.m.

Welcome

Moderators:

Jason Balgopal, Assistant Crown Attorney, Criminal Law
Division, *Ministry of the Attorney General*

Ashleigh Frankel, *The WiseMind Co.*

Speaker:

Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

10:05 a.m. – 10:15 a.m.

**Brief Review of Phase I of the National Study on the
Psychological Health Determinants of Legal Professionals
in Canada**

Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

10:15 a.m. – 11:00 a.m. Quit Multiplying By Zero: Wellness as a Shared Responsibility

Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

11:00 a.m. – 11:30 a.m. Fireside Chat: Stress Management in the Context of Practicing Law/Providing Legal Services

Moderators: Jason Balgopal, Assistant Crown Attorney, Criminal Law Division, *Ministry of the Attorney General*

Ashleigh Frankel, *The WiseMind Co.*

Speaker: Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

11:30 a.m. – 12:00 p.m. Question and Answer Session

Moderators: Jason Balgopal, Assistant Crown Attorney, Criminal Law Division, *Ministry of the Attorney General*

Ashleigh Frankel, *The WiseMind Co.*

Speaker: Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE,
President and CEO, *PEAK MD*

12:00 p.m. Program Ends

Stress Management for Legal Professionals

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TAB 1

Stress Management for Legal Professionals

Moving Towards a Healthy and
Sustainable Practice of Law (PowerPoint)

Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE, President and CEO
PEAK MD

April 10, 2024





Moving Towards a Healthy and Sustainable Practice of Law

Stress Management for Legal Professionals
Law Society of Ontario
April 10, 2024





“Study of Canadian legal profession paints a sobering picture”

- As the first comprehensive national study of its kind in Canada, The National Study on the Psychological Health Determinants of Legal Professionals in Canada paints an alarming picture of the wellness of Canadian legal professionals.
- More than 7,300 legal professionals from all jurisdictions - lawyers, Quebec notaries, Ontario paralegals and articling students - participated in the survey.
- Legal professionals in all areas of practice in all jurisdictions suffer from “significantly high levels of psychological distress, depression, anxiety, burnout and suicidal ideation” says this research conducted in 2022, at the Sherbrooke University in Quebec, financed by Federation of Law Societies of Canada and the Canadian Bar Association.
- “We should all be concerned by this data... in particular the impact on women, young lawyers, lawyers with disabilities, Indigenous lawyers and other racialized legal professionals.”



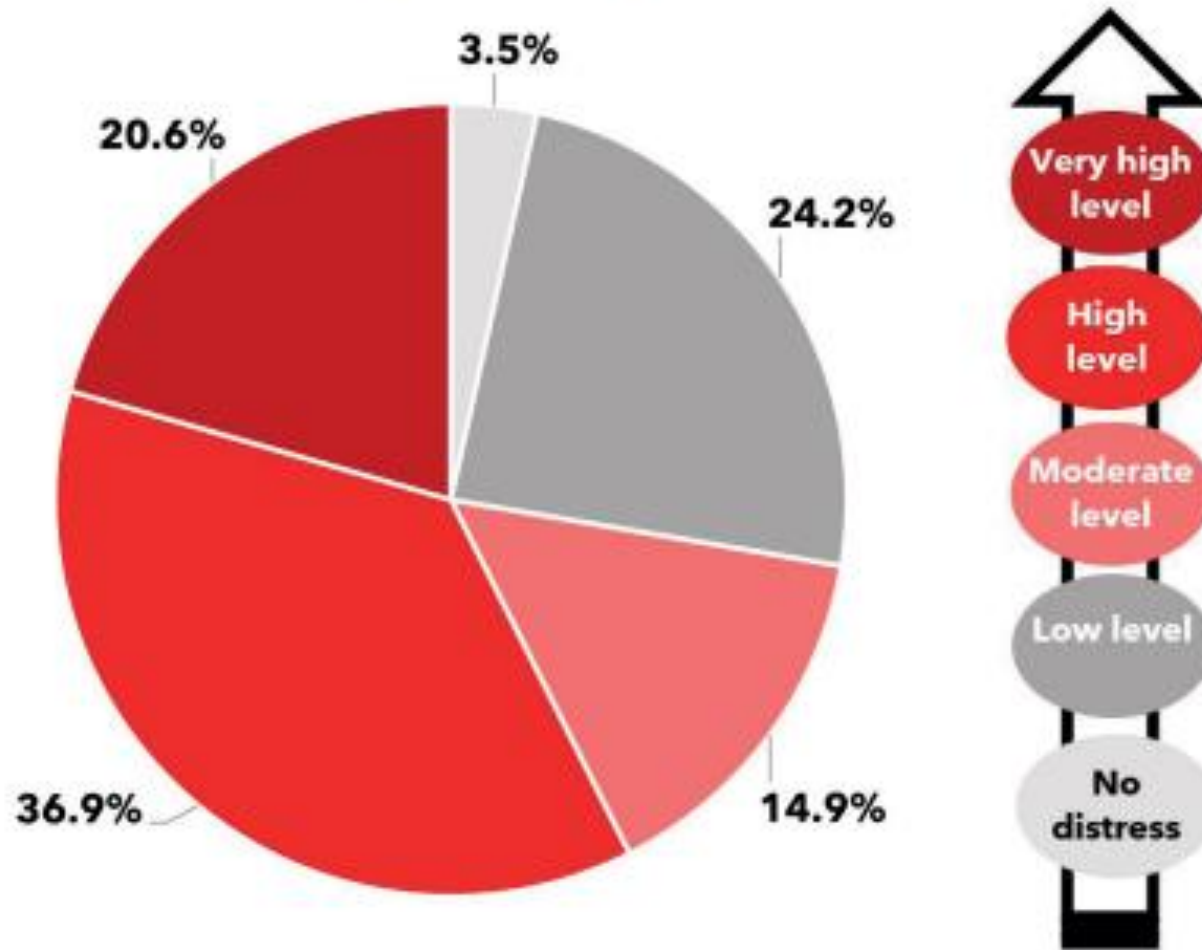


Key Findings

- More than half of all respondents reported experiencing psychological distress and burnout. Those rates are even higher for professionals living with a disability, articling students, lawyers aged 26-35, legal professionals with less than 10 years of experience, legal professionals identifying as members of LGBTQ2S+ community, and women.
- The billable hours model has a highly negative impact on mental health, but the emotional demands of clients is the risk factor with the most significant impact.



Proportion of levels of psychological distress among legal professionals (n = 6,900)





Significantly high rates of mental distress

- 59.4 % proportion of levels of psychological distress
- 28.6 % proportion of moderate to severe depressive symptoms
- 35.7 % proportion of anxiety
- 24.1 % proportion of legal professionals who have had suicidal thoughts since starting their professional practice
- 55.9 % proportion of burnout
- Despite these alarming numbers, only 44.9% of legal professionals sought help for dealing with stress.
- Only one-third of legal professionals who had suicidal thoughts sought help when they felt the need to.

<https://lso.ca/gazette/blog/moving-toward-a-healthy-and-sustainable-practice-o>

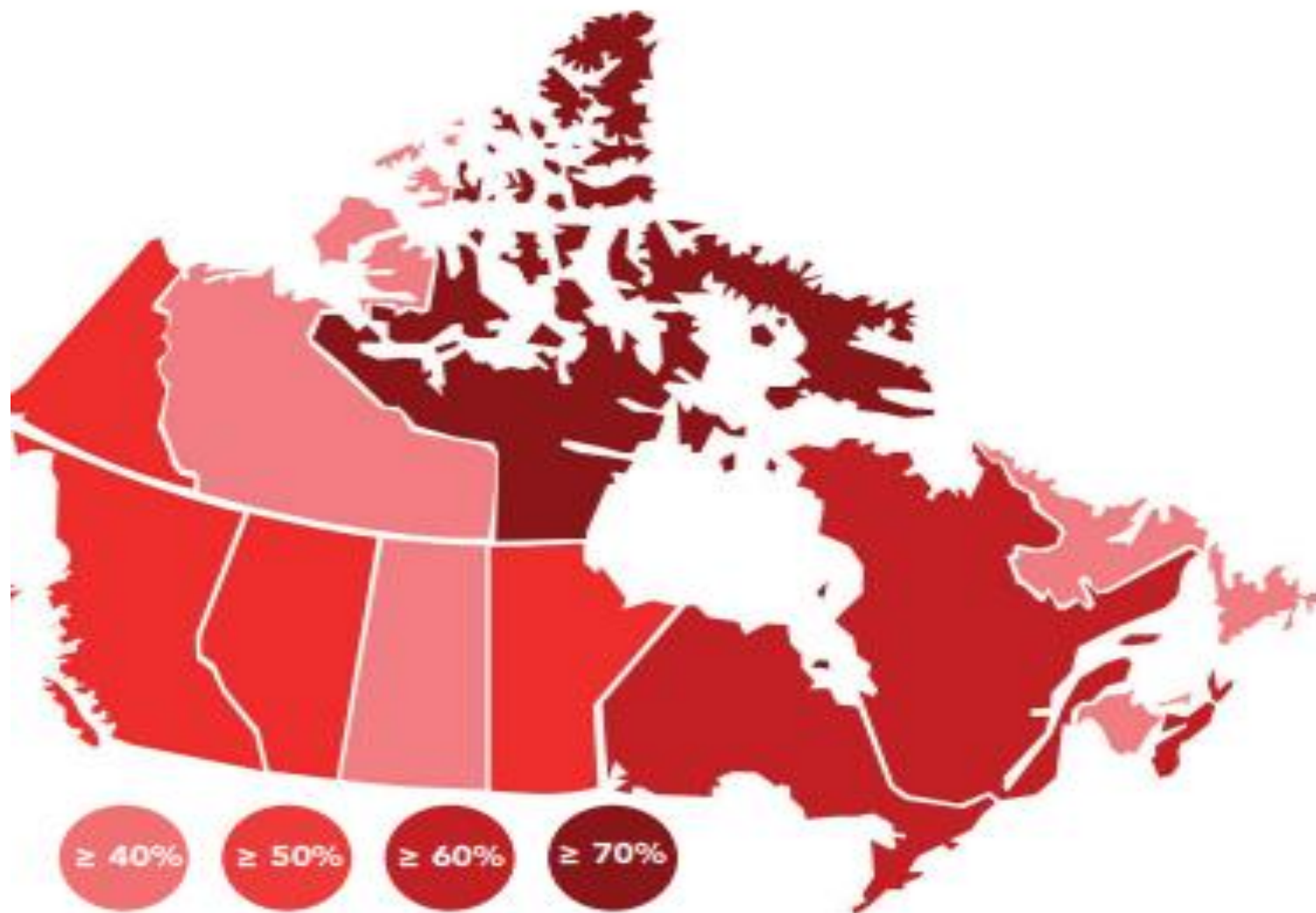


Groups with high proportions of psychological distress

- Women legal professionals (63.7%)
- Legal professionals working in the public sector or not-for-profit (58.0%) and private practice (58.4%)
- Legal professionals between the ages of 26 and 35 (71.1%)
- Legal professionals with less than 10 years of experience (70.8%)
- Articling students (72.0%)
- Ontario paralegals (65.9%) and Quebec notaries (65.9%)
- Legal professionals living with a disability (74.3%)
- Legal professionals identifying as members of the LGBTQ2S+ community (69.3%)
- Legal professionals working in Nunavut (76.4%)



Proportion of psychological distress by province and territory





- Work–life conflict is a critical stressor and is associated with a significantly lower level of commitment to the profession and a substantially higher level of intention to leave the profession.
- Legal professionals living with a disability and from minority groups experience higher levels of mental health concerns.
- Alcohol and drug use among legal professionals are at a worrying level; and
- The key skills to build resilience and shield legal professionals from stressors are psychological detachment from work and the ability to set limits.



A Culture of Unwellness

- “Unwellness” is an integral and normalized part of legal culture
- It is important to recognize ... that the entirety of the profession is suffering and has been for quite some time. These proportions suggest that the issue has become so pervasive that it has practically become normalized as an integral part of the culture....
- Accordingly, a systemic and wide-ranging effort must be made to improve the health of legal professionals working in all work settings and all areas of practice.



Need to Reframe

- It is time to counter the assumption that a successful legal professional is free of mental angst.
- A 2017 University of Toronto study found that, for those in private practice, the larger the firm and the more high-paying the job, the more likely a lawyer is to have depressive symptoms.



Recommendations: Towards a healthy and sustainable practice of law in Canada

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



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TAB 2

Stress Management for Legal Professionals

Quit Multiplying By Zero: Wellness as a Shared
Responsibility (PowerPoint)

Dr. Mamta Gautam, MD, MBA, FRCPC, CPDC, CCPE, CPE, President and CEO
PEAK MD

April 10, 2024





Quit Multiplying By Zero:

Wellness as a Shared Responsibility

Stress Management for Legal Professionals
Law Society of Ontario
April 10, 2024

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Faculty/Presenter Disclosure

- **Faculty:** **Dr. Mamta Gautam**
- **Disclosure:** **President and CEO, PEAK MD Inc**
- Relationships with commercial/pharma interests: NONE
- Disclosure of commercial support: NONE
- Potential for conflict of interest: NONE
- Mitigating potential bias: NOT REQUIRED
 - The content of this discussion is not related to the services of commercial interest.
 - No therapeutic recommendations for medications will be made.

April 2024





Learning Objectives

By the end of this presentation, participants will be able to:

- Define and understand stress, distress, burnout, compassion fatigue.
- Discuss health as a product of individual, cultural, and system level factors; and that we need to 'quit multiplying by zero'.
- Learn and implement the 5 C's Framework to manage their stress effectively.



We live in a VUCA World

- Rapid unmatched change
- VUCA: Volatility, Uncertainty, Complexity, Ambiguity.
- Lately, our work remains rewarding, but is also physically difficult and psychologically demanding
- Increased stress, challenges, fatigue, worry and anxiety can occur
- Impacts all of us





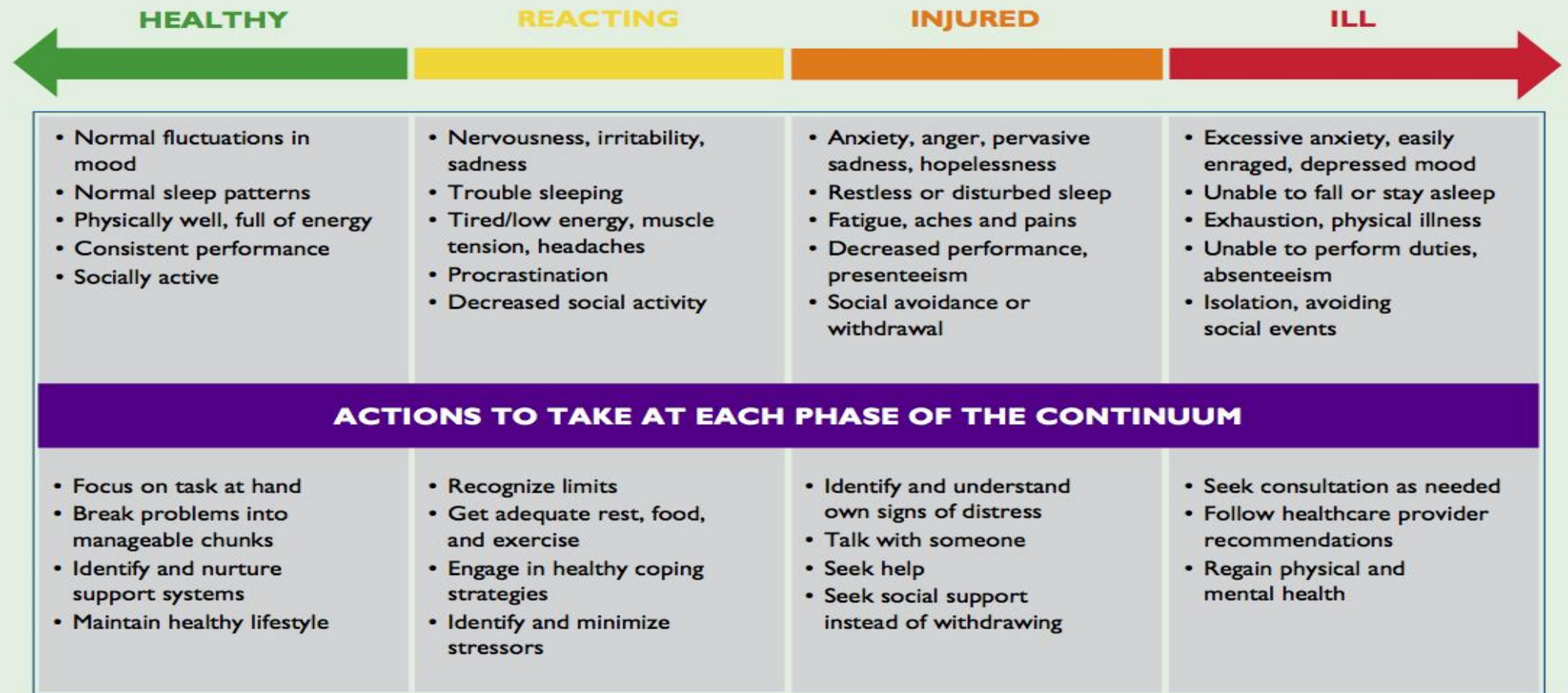
Stress is normal

- A normal and natural physiological and psychological response
- Can be useful
- Caution: Distress





MENTAL HEALTH CONTINUUM MODEL



Where am I along this continuum?

Adapted from *Road to Mental Readiness*, Canadian Armed Forces



Loss and Grief



Five Stages of Grief, Elizabeth Kubler-Ross



Compassion Fatigue

“The expectation that we can be immersed in suffering and loss daily and not be touched by it is as unrealistic as expecting to be able to walk through water and not get wet.”

Dr. Naomi Rachel Remen





Moral Distress and Moral Injury

Repeated Moral Distress leads to Moral Injury:

- the ever-present double-bind
- the challenge of simultaneously knowing what we want to do to help our clients, but being unable to provide it due to constraints that are beyond our control.





Burnout

Emotional exhaustion, chronic overstress. (Maslach)

1. Emotional Exhaustion
2. Depersonalization
3. Reduced Personal Accomplishment





Even the healthiest and
strongest of us can become
unhealthy
in an unhealthy environment.



Wellness is a Shared Responsibility

We need to stop blaming the professional, and see Health (H) as a shared responsibility of:

- Individual (I)
- Culture (C)
- System (S)

H = I X C X S

Quit Multiplying By Zero

(Gautam, CJPL 5(3), 2019))





Addressing the System

Stress at work is caused by critical mismatches between the person and the job:

1. Work Overload
2. Lack of Control and Choice
3. Lack of Reward and Recognition
4. Lack of Community and Connection
5. Lack of Fairness and Respect
6. Conflicting Values



Recommendations: Towards a healthy and sustainable practice of law in Canada

- 1) Improve preparation of future professionals to support them to deal with psychological health issues
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Fix the Workplace, not the Workers

- Professional burnout is an occupational syndrome driven by the work environment.
- An organization seeking to reduce burnout and improve well-being among its professionals can create a better work environment by aligning its commitments, leadership structures, policies, and actions with evidence-based and promising best practices.
- Focus on evidence-based best practices to organizational approaches that focus on fixing the workplace, rather than “fixing the worker”

Sinsky et al, Organizational Evidence-Based and Promising Practices for Improving Clinician Well-Being.
NAM Perspectives. Discussion Paper, National Academy of Medicine, Washington, DC.



The Culture of the Legal Profession

- Sets high expectations of self and others:
- “Expected to be a champion or gladiator at all times”
- Promotes hard work, conscientiousness, perfectionism. Compulsiveness, thoroughness.
- Clients come first. Encourages self-sacrifice, and delay of personal gratification
- Stigma in the Culture of Law: discussions relegated to whispers behind closed doors. Fear of reprisal for speaking openly about sensitive personal circumstances is isolating and inhibits or delays colleagues from seeking assistance, accessing care and recovering.



The STOP Criteria

Use the **STOP** criteria to recognize attitudes and actions that support the stigma of mental health conditions. It's easy, just ask yourself if what you hear:

Stereotypes people with mental health conditions (that is, assumes they are all alike rather than individuals)

Trivializes or belittles people with mental health conditions and/or the condition itself

Offends people with mental health conditions by insulting them

Patronizes people with mental health conditions by treating them as if they were not as good as other people

Source: <https://ontario.cmha.ca/documents/stigma-and-discrimination/>



Addressing the Individual

RESILIENCE

1. Being prepared for the event
2. Coping with the situation – skills and strategies
3. Bouncing back and growing further





THE FIVE C's of RESILIENCE



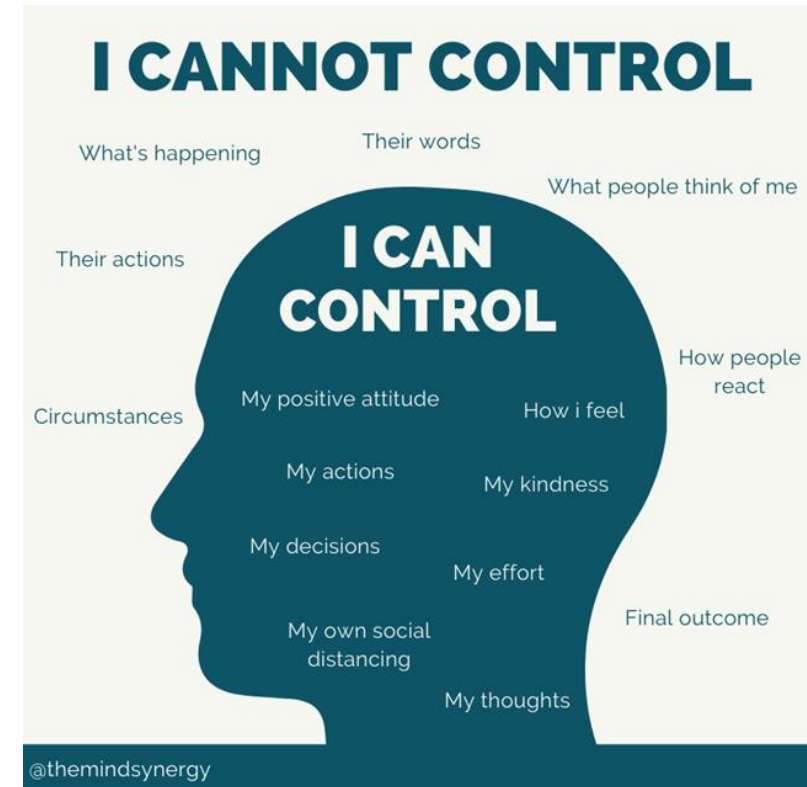
<https://cjpl.ca/fivec.html>



1. Control

Consider and identify what you:

1. Cannot control
2. Can control





2. Commitment

- Remember the Why
 - Why did I choose this profession?
 - What initially drew me to this work?
- Values clarification exercise
 - How is my work aligned with my core values?
 - How is my work meaningful to me?
- Appreciative Inquiry
 - What does a great day at work look/feel like?
 - How could every day be like that?
- Reflection and Journaling

THE WHY



The Meaning of our Work

- Our work is a privilege – to have people share stories with us and allow us to help
- Can bring meaning, spiritual satisfaction
- Humbling to be able to make a difference
- In the midst of the stress and crises, we can feel hope and joy.
- You cannot give what you do not have.
- Connect to your purpose.



3. Caring Connections

- Holding Environment – how can you create and maintain this?





Relationships in the workplace

How can we take care of each other?

- Create a sense of community – personal touch
- Use peers and colleagues as a network for support – Peer Support programs
- Regular check-ins: Buddy System, Check You Check Two
- Share your stories, permit vulnerability



Personal Relationships

- Stay connected with family and friends
- Easy to take for granted; assume they will always be there
- Nurture these relationships: create time, be fully present, listen actively
- Help people feel seen, heard, valued
- Laugh



4. Calmness

- Feeling upset and anxious is common
- When grieving, frustrated, feeling out of control, or under pressure, we can exhibit negative attitude and behaviors, blame and criticize others, be irritable and unpleasant.
- Recognize when others are not calm.
 - Invite, connect, offer patience and forgiveness for imperfect moments
- Recognize when you are not calm.
 - Remain respectful and collegial.
 - Learn skills to manage during that time.



Strategies for Calmness: The ABC's

Allow feelings: Vent Buddy

Journaling – acknowledge and let go

Four-letter technique – write at least 4 letters; do NOT send

Burn it off: Exercise – long run, hard workout, punching bag

Calm down: Deep Breathing
Gratitude, Forgiveness
Spirituality
Yoga

Relaxation Exercises – Visualization, active & passive

Mindfulness Meditation



5. Care for Self

- **Take care of yourself first**
- Make time for yourself – Almost everything will work again if you unplug it for a few minutes, including you.
- Ensure basic care: Exercise, Nutrition, Sleep
- Take regular breaks to rest and relax: hobbies, reading, music, meditation
- Let go of the Guilt



Self Compassion

- Take regular note of how you are coping.
- Notice when your coping skills are diminished or depleted.
- Reach out for help.
- Kindness vs Self-Judgment:
 - You are not to blame; it will happen to all of us at some point
 - Offer yourself compassion, warmth, and care.
 - Be kind.



Top 5 Takeaways

- Lawyers are human, and stress is normal.
- Even the strongest of us can become unhealthy in an unhealthy environment.
- The main driver of burnout is the work environment and system level factors.
- Ensuring wellbeing is a shared responsibility, not just up to the individual.
- The 5 C's of Resilience is a practical framework to use to ensure your own wellbeing.



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TAB 3

Stress Management for Legal Professionals

**Free & Confidential Peer Support Meetings
Business Card**

Jason Balgopal, Assistant Crown Attorney, Criminal Law Division
Ministry of the Attorney General

April 10, 2024



FREE & CONFIDENTIAL Peer Support Meetings



Having a tough time?

Worry ~ Anxiety
Stress ~ Depression ~ PTSD

JOIN our PEER SUPPORT GROUPS

We've been there...we can help!

There's a meeting nearly every day in person or by Zoom!

Find meetings: **www.MeetUp.com**

Look for: "Mental Wellness Peer-to-Peer Support Groups"

www.MentalWellness.help



Mental Wellness Support Groups

FREE & CONFIDENTIAL - Peer & Professional

PEER RUN: Groups started in 2015 by someone with a wellness challenge.
Run by peers with lived-experience.

CONFIDENTIAL: What is said in the group, stays in the group. PERIOD.

SHARING: Everyone may share what is on their mind, but no obligation to speak.
Just being here will help you.

SUPPORT: None of us is a professional - we will not tell you what you "should" do.
Members may ask if you wish suggestions - what worked well for them.

PROFESSIONAL HELP: Regular members get access to
FREE professional help from a licensed therapist

"The weekly confidential peer-to-peer support group has become a coveted time for me that I have to let down the exterior I often put on during the week and share how I am really doing in a supported space. When I share, if I am up to it, I don't feel judgement, I feel support. Support comes in many ways - from people simply listening, offering empathy, or offering suggestions from their own experiences. I really value the connection and community that the Peer-to-Peer support group has created, particularly in this time of self-isolation." - Hayley



Thank you to our sponsors
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TAB 4

Stress Management for Legal Professionals

Resource List

April 10, 2024



Stress Management for Legal Professionals – Resource List

1. [Well-being Resource Centre](#): This well-being resource centre brings together a number of Law Society and community resources to support well-being in the professions.
2. [Member Assistance Program](#): The Member Assistance Program (MAP) is a confidential service funded by the Law Society and LAWPRO but provided by Homewood Health. MAP provides secure, single sign-on or telephone access to counselling, coaching, online resources and peer volunteers.
3. [Coach and Advisor Network \(CAN\)](#): The Law Society's Coach and Advisor Network (CAN) provides lawyers and paralegals with access to shorter-term, outcome-oriented relationships with Coaches and Advisors drawn from the professions.
4. [Mental Wellness Peer-to-Peer Support Groups](#): A public peer support groups run by a Voices for Mental Health member.
5. [Canadian Mental Health Association](#): CMHA facilitates access to community mental health resources and supports. It leads mental health advocacy, education, and fundraising.
6. [The Centre for Addiction and Mental Health](#): CAMH offers a range of clinical care services including assessments, brief interventions, and inpatient programs.
7. [Mood Disorders Association of Ontario](#): Offers free support programs to individuals and their families, who are living with depression, anxiety or bipolar disorder.
8. [BetterHelp](#): For a weekly fee, you are matched with a licensed therapist and may connect with the therapist through messaging, live chat, phone or video sessions.
9. [MindBeacon](#): Free personalized Cognitive Behavioural Therapy (CBT) guided by registered health professionals. It offers Canadians a full spectrum of digital mental health supports, from face-to-face live therapy, therapist-guided programs, messaging counselling, and free content.
10. [Woebot Health](#) & [Wysa](#): Emotionally intelligent chatboxes that use artificial intelligence to help monitor your mood and draw from a therapeutic framework based on Cognitive Behavior Therapy (CBT).
11. [Ontario Psychological Association - Find a Psychologist](#): Find a psychologist affiliated with the Ontario Psychological Association. No referral needed. You may need a referral to be reimbursed by your insurance. To check if a psychologist is a member of the College of Psychologists of Ontario, go to <http://www.cpo.on.ca>.
12. [Ontario Society of Registered Psychotherapists - Find a Therapist](#): Find a psychotherapist affiliated with the Ontario Society of Registered Psychotherapists.
13. [College of Registered Psychotherapists of Ontario - Find a Registered Psychotherapist](#): No referral needed. You may need a referral to be reimbursed by your insurance.

Crisis Phone Lines

14. **408-HELP Distress Centres Helpline - Call 416-408-4357 or text 45645**: If you are in distress or need emotional support, trained volunteers offer support 24 hours a day, 7 days a week.
15. **Gerstein Crisis Centre - Call 416-929-5200**: Crisis Workers are available 24/7. Gerstein helps callers who are experiencing a mental health crisis to work out effective ways of addressing their immediate problems and connect them to services that can offer ongoing support.

Other Phone Lines

16. **Telehealth Ontario - Call 1-866-797-0000:** a 24/7, free service allows you to speak to a registered nurse.
17. **Centre for Addiction and Mental Health - Call 416-535-8501:** CAMH offers a range of clinical care services including assessments, brief interventions, and inpatient programs.
18. **Connex Ontario (funded by Government of Ontario) - Call 1-866-531-2600:** Provides free and confidential health services information for people experiencing problems with mental illness, alcohol/drugs, or gambling.
19. **Mood Disorders Association of Ontario - Call 1-866-363-MOOD (6663):** Offers free support programs to individuals and their families, who are living with depression, anxiety or bipolar disorder.