

FIVE MYTHS ABOUT HAPPY LAWYERS

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1. There aren't any.

Yes, there are millions of happy lawyers and law students. You've probably heard horror stories about unhappy lawyers. That law firms are hemorrhaging associates. That more than half of attorneys say they would not choose to become lawyers again if given the chance to start over.¹ Dissatisfaction over the pressures of billable hour requirements is widespread. It is also true that more than one-third of associates at big firms leave their firms within three years of being hired.²

But it is an exaggeration to say that most lawyers are dissatisfied.

In surveys of all occupations, lawyers are in about the middle of the pack. (This may be the most troubling part: lawyers tend to like decisive victories—if we can't come out on top, at least let us win the race to the bottom.) They are generally less happy than those in occupations that offer numerous opportunities for pleasurable social connections, such as hairdressers, ministers, and educators. Lawyers are typically more satisfied than workers in pressure-driven jobs that offer little in the way of intellectual stimulation, such as roofers and gas station attendants.³

In a recent twenty-year longitudinal study of the University of Virginia Law School class of 1987, 81 percent of the respondents said they were “satisfied with their decision to become a lawyer.”⁴ Although at the higher end of the scale as rankings go, the Virginians aren't the only satisfied bunch. A 2007 study of lawyers in firms of varying sizes from across the country showed slightly lower but still quite positive satisfaction levels. The vast majority of respondents were either “extremely satisfied” or “moderately satisfied” with their decisions to become lawyers.⁵ Happy and *proud*, it seems. Eighty percent of those responding to a recent American

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¹ *Fax Poll: It Becomes a Miserable Profession*, CAL. LAW., Mar. 1992, at 3; John P. Heinz et al., *Content With Their Calling? Work Satisfaction in the Chicago Bar*, 9 AM. B. FOUND. PUB. 1 (1998); Alex Williams, *The Falling Down Professions*, N.Y. Times, Jan. 6, 2008, at 91.

² Ashby Jones, *The Third Year Dilemma: Why Firms Lose Associates*, WALL ST. J., Jan. 4, 2006, available at <http://208.144.115.173/salarydata/law/20060105-jones.html>.

³ TOM W. SMITH, NATIONAL OPINION RESEARCH CENTER/UNIVERSITY OF CHICAGO, JOB SATISFACTION IN THE UNITED STATES (Apr. 17, 2007).

⁴ John Monahan & Jeffrey Swanson, *Lawyers at Mid-Career: A 20-Year Longitudinal Study of Job and Life Satisfaction*, 5 J. EMPIRICAL LEGAL STUD. 1, 2 (2009).

⁵ Ronit Dinovitzer & Bryant G. Garth, *Lawyer Satisfaction in the Process of Structuring Legal Careers*, 41 LAW & SOC'Y REV. 1 (2007).

Bar Association survey were proud to be attorneys, and an equal percentage found legal practice to be intellectually stimulating.⁶

The really good news if you are a lawyer is that you are likely to become happier over time, as your career progresses. You will find ways to do more of the kinds of things you enjoy, have an understanding of what is expected from you, and develop a sense of competence—and that makes for less job-related anxiety.⁷ Finally, you will likely have accumulated a set of relationships that provide support and a source of fun.

2. A high-paying law job leads to happiness.

Nope. On the whole, for lawyers, money doesn't have much to do with happiness. Absolute income does not matter a great deal to lawyer satisfaction, at least above about \$75,000.⁸ But relative income does: far more important for lawyers is how their salaries compare to people they perceive as peers. Attorneys are concerned about keeping up with the Joneses (or in this case the Jones Days). Among the least happy lawyers are associates who work for large law firms—where the starting salary last year in big city firms of more than 250 lawyers was \$160,000.⁹

Among the happiest lawyers are those who work with clients whose values they share, and attorneys who work at small firms or in the public sector, particularly in public interest jobs.¹⁰ New lawyers entering legal service jobs earned about one-fourth of the large firm pay.¹¹ What made them happy was that their work aligned with their values, and they made downward, not upward, comparisons in life—they worked with those less fortunate than themselves. There are paths toward happy law careers, but they don't seem to be the jobs with the biggest paychecks.

3. You can't do anything to make an unhappy law job better.

Not so. You can become happier in your job. If you are unhappy in your present law job, you can change this. What's critical to happiness is a sense of control. Control has multiple dimensions.

⁶ Stephanie Francis Ward, *Pulse of the Legal Profession*, A.B.A. J., Oct. 2007, at 34.

⁷ David G. Blanchflower & Andrew Oswald, *Is Well-Being U-Shaped Over the Life Cycle?*, J. SOC. SCI. & MED. (Aug. 14, 2006), available at <http://www.nd.edu/~adutt/activities/documents/BlanchOsUshapeCohorts14 Aug2006.pdf> (thirty-five-year longitudinal study); Robert Frank, *The Perfect Salary for Happiness: \$75,000*, WALL ST. J., Sept. 7, 2010, available at <http://blogs.wsj.com/wealth/2010/09/07/the-perfect-salary-for-happiness-75000-a-year/> (describing the study of 450,000 Americans by psychologist Daniel Kahneman and economist Angus Eaton).

⁸ NANCY LEVIT & DOUGLAS O. LINDER, *THE HAPPY LAWYER: MAKING A GOOD LIFE IN THE LAW* 10 (2010); Daniel Kahneman et al., *Would You Be Happier If You Were Richer? A Focusing Illusion*, SCIENCE, June 30, 2006, at 1908, 1909.

⁹ Dinovitzer & Garth, *supra* note 5, at 7.

¹⁰ *Id.* at 7; Ward, *supra* note 6, at 32.

¹¹ Adam Cohen, *With the Downturn, It's Time to Rethink the Legal Profession*, N.Y. TIMES, Apr. 2, 2009, at A26.

It can come from work-life balance. Talk to managing partners about the aspects of control that matter most to you—perhaps some flexibility in work hours or location or choosing clients or work assignments. Although 98 percent of the mostly larger law offices responding to a recent survey said that they permit part-time work schedules, fewer than 6 percent of all lawyers work part-time.¹² But those who do are happy with their part-time or flex-time schedules. It is by no means impossible to find flexible or part-time options; people have to summon the courage to ask for them. The more people who move toward nontraditional schedules, the greater the acceptance of those options in law firm culture.

Change your working environment. Will anyone complain if you bring in a comfortable chair, move your desk, or change the lighting in your office? The more power you have to affect your own working environment, the happier you will be. As Ross Gittins notes, “Small freedoms . . . are very good for satisfaction.”¹³

Another big part of workplace control is believing that your contribution matters. Mattering matters.¹⁴ Happiness can spring from giving back to the world.

Spend more time with people you like at work. Seems obvious, but people get trapped into routines. According to one happiness expert, about 70 percent of our controllable happiness stems from relationships.¹⁵ Socializing is one of the activities that make us happiest, second only to sex. Look for the opportunities for interaction with colleagues, whether through collaborative work projects, brown bag conversations in the lunch room, or office parties and firm softball games.

4. Law firms will eat you up and spit you out.

Okay, this one is partially true. It just depends on the firm. In 2009, the national average billable hour requirement for firms of all sizes was 1,888 hours, but expectations for associates on large firm partnership tracks can amount to 1,900–1,950 hours each year.¹⁶ This can mean sixty or more hours of face time in the office. The large firm focus on billable hours is a source of much lawyer unhappiness, but the dissatisfactions go beyond the daily grind. Something important is lost as organizations grow past a certain size. In his popular book *The Tipping Point*, Malcolm Gladwell makes the case that firms of over about 150 members lack the cohesiveness and collegiality to be a satisfying workplace.¹⁷ Most large firms divide into separate practice

¹² Maria Vogel-Short, *Part-Time Lawyers Still a Rarity and Three-Quarters Are Women, Survey Says*, N.J. L.J., Jan. 2, 2009, available at <http://www.law.com/jsp/article.jsp?id=1202427138453>.

¹³ Ross Gittins, *Happiness Is the Job You Like*, SYDNEY MORNING HERALD, Mar. 10, 2004, available at <http://www.smh.com.au/articles/2004/03/09/1078594359806.html?from=storyrhs>.

¹⁴ Levit & Linder, *supra* note 8, at 79-81.

¹⁵ ERIC WEINER, *THE GEOGRAPHY OF BLISS* 114 (2008).

¹⁶ National Association for Law Placement, *How Much Do Associates Work?*, Table 3. Billable Hours Requirements per Year by Firm Size, NALP BULL., Apr. 2009, <http://www.nalp.org/may07billablehrs>; Julie A. Oseid, *When Big Brother Is Watching [Out For] You: Mentoring Lawyers, Choosing a Mentor, and Sharing Ten Virtues From My Mentor*, 59 S.C. L. REV. 393, 409 n.84 (2008).

¹⁷ MALCOLM GLADWELL, *THE TIPPING POINT: HOW LITTLE THINGS CAN MAKE A BIG DIFFERENCE* 187 (2002).

groups for substantive areas. Being in a practice group helps, but doesn't really give you the *Cheers* benefit of working in a place where everybody knows your name.

On the brighter side, law firms themselves are beginning to change. Some are developing part-time or alternative scheduling approaches, because they understand that job flexibility promotes attorney retention. As one managing partner reported, "We were losing lawyers not to other law firms, but to other schedules."¹⁸ Some firms emphasize social events or a more relaxed and playful atmosphere at work—although the gravitas of law firm life probably means that most firms won't install a huge slide from an upper floor into the lunchroom, like Google did in its Zurich office. Many firms are moving toward responsiveness to their lawyers' ideas and emotional needs. Surveys of the best law firms—from Catalyst, Vault, and *Working Mother*—show a number of common features in firms' treatment of their employees that lead to satisfaction. Favored firms promote their employees' dreams and encourage innovation and risk-taking; they value their employee's opinions, listen to their ideas, and implement their suggestions. They give feedback and promote the social network at work.

5. You are stuck.

A striking recent trend is the increasing extent to which lawyers change jobs over the course of their careers. If you are a lawyer whose firm seems unable or unwilling to give you the control you need, a change of jobs might be the best option. The firm down the street might accept your proposal to shift to part-time work or a more flexible schedule. A smaller firm might promise you greater control of your work product and work environment. Don't be afraid to move or to leap. You are likely to change jobs three or more times before your career ends. Eighty-five percent of lawyers change jobs at least once during their working lives.¹⁹ Unsurprisingly, most move to other law jobs, but a significant number of lawyers eventually find their way into nonlaw jobs. Among graduates fifteen to twenty-five years out of law school, more than 20 percent had shifted out of law practice entirely.²⁰ Many who leave law practice have law to thank for their new careers.

Law degrees offer tremendous flexibility. They can open doors in politics, business, health care, journalism, law enforcement, and other fields where clear thinking and knowledge of our nation's laws is valued. Don't limit your career vision to traditional law jobs. You can consult in an area of your expertise (such as business valuations); be a headhunter; go into arbitration or mediation; look at human resources jobs; develop real estate; write thrillers (think Scott Turow or John Grisham); become counsel for a school district; use the law degree to teach at the college, junior college, or paralegal level; become an agent in the entertainment or sports industries; manage a baseball team (Tony La Russa); coach football (Vince Lombardi); write poetry (Edgar Lee Masters); create crossword puzzles (Will Shortz); become a sportscaster (Howard Cosell) or broadcast journalist (Geraldo Rivera), an actor (John Cleese), a Presidential speechwriter and a game show host (Ben Stein), or a community organizer and then President of the United States (Barack Obama).

¹⁸ Linda Bray Chanow, *The Business Case for Reduced Hours, Project for Attorney Retention*, http://www.pardc.org/Publications/business_case.shtml (last visited June 20, 2009).

¹⁹ Monahan & Swanson, *supra* note 4, at 2.

²⁰ Leslie Gordon, *Beyond the Law: JDs in All Walks of Life*, STAN. LAW., Spring 2008, at 18, 21.

Even if you need to stay in your present job, you don't have to feel stuck. Identify your strengths—and find ways to use them. Try to do a little more of the work that interests you. Add some novelty. Take on a case that gives something back to the world. Savor the small pleasures—for you that might mean a well-turned phrase, settling a case, a cup of that really good coffee, or bringing a small gift to a friend. Keep in mind the words of Annie Dillard, "*How we spend our days is, of course, how we spend our lives.*"