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Is “Happy Lawyer” an Oxymoron?

By Douglas Querin

The “happy lawyer” question arose for me some months ago when I was struck with the realization that, during my 15-plus years with the Oregon Attorney Assistance Program (OAAP), the single most common topic I have read, written, and spoken about has been the unhealthy and problematic state of lawyers’ physical and mental health.

The duties, responsibilities, practices, and habits of those in our legal community often create or exacerbate significant personal and professional well-being challenges in the lives of lawyers and others with whom they are close. It’s clear that the demands of our profession can take a toll.

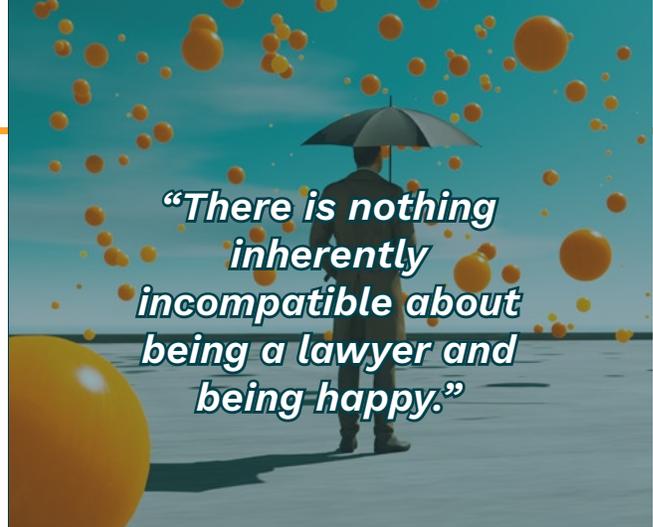
So, is “happy lawyer” an oxymoron? Let’s start with the foundational question: What is happiness? The frustrating answer, of course, is that it means different things to different people. Though it escapes easy definition, the concept of happiness generally resonates with each of us in its own special way. In her book, *The How of Happiness: A Scientific Approach to Getting the Life You Want*,¹ Sonja Lyubomirsky describes happiness as a combination of various characteristics and emotions:

1. Experiencing positive emotions such as joy, gratitude, love, and contentment
2. General satisfaction with one’s life
3. Flow and engagement in enjoyable activities
4. Meaning and purpose
5. Positive relationships with friends, family, partners, and colleagues
6. Optimism, positive thinking, acts of kindness, and resilience

In his 2015 law review article, “What Makes Lawyers Happy?”,² Lawrence Krieger comments that the data “demonstrate that lawyers are very much like other people, notwithstanding their specialized cognitive training...” Happiness research has generally found little to no significant correlation between *external factors* (e.g., income, status, prestige positions) and happiness/well-being. *Internal factors*, on the other hand, (e.g., autonomy, competence, social connections, and positive psychological factors) are correlated with happiness/well-being. In short, meaningful happiness typically comes more from within oneself than from without—and this is true for lawyers and non-lawyers alike.

Equally important, according to both Lyubomirsky and Krieger, is the psychological reality that (1) happiness levels fluctuate in the same way as moods and attitudes depending on any number of circumstances and conditions and (2) happiness does not *just happen*; it must be attended to and nurtured.

Although the U.S. legal profession has distressingly high rates of certain mental and behavioral health conditions, no known



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research or literature suggests that lawyers as a group have innate psychological, physiological, or behavioral conditions precluding them from being “happy,” however one defines that term. It is true that the legal community at large has much to do in addressing its well-being issues. It is *not true*, however, that the *majority* of lawyers are less healthy than the general population. In fact, statistically speaking, a clear majority of lawyers are reasonably healthy, functioning well, and reasonably satisfied with their chosen occupation despite the stresses of the work.

While “career satisfaction” is only one benchmark of happiness, it is worth noting that the most recent OSB economic survey³ asked respondents to rate their satisfaction with their legal employment on a scale from 1 (very dissatisfied) to 5 (very satisfied). Statewide, the mean average was 3.93, a slight decrease from the 3.98 of 2017. [Depending on geography, type of employment, and other factors, some groups reported satisfaction levels both above and below this average.] In a survey recently published in the *ABA Journal*,⁴ 68% of responding lawyers reported that, despite work-related stresses, they were satisfied or very satisfied with their overall job, and “71% of the lawyers would not switch careers if given a chance for a do-over...” Finally, findings reported in a 2023 Pew Research study⁵ of job satisfaction among the general U.S. population suggest that lawyer satisfaction levels are well within statistical norms.

So what are we to make of all this? In my view, the question “Is ‘happy lawyer’ an oxymoron?” is a non sequitur. There is nothing inherently incompatible about being a lawyer and being happy. At times it may not be easy; it may take attention and work. But it is eminently

doable! The good news is that our profession is recognizing that it is healthy for lawyers to talk about their mental and emotional health and well-being, including how they can achieve the level of happiness they seek. We need to normalize these conversations to effectively help ourselves, others, our clients, and our communities. In this way, each of us can foster increased happiness and well-being, within the profession and beyond.

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ENDNOTES

1. Sonja Lyubomirsky, *The How of Happiness: A New Approach to Getting the Life You Want* (New York: Penguin Books, 2008), available on Amazon.
2. Lawrence S. Krieger and Kennon M. Sheldon, "What Makes Lawyers Happy? A Data-Driven Prescription to Redefine Professional Success," 83 GEO. WASH. L. REV. 554 (2015), available at <https://ir.law.fsu.edu/articles/94>.
3. Oregon State Bar 2022 Economic Survey, Report of Findings (March 2023), available at https://www.osbar.org/_docs/resources/Econsurveys/22EconomicSurvey.pdf.
4. Debra Cassens Weiss, "Lawyers report high level of satisfaction with their jobs, but stress remains an issue, survey finds," ABA Journal (April 12, 2023), available at <https://www.abajournal.com/news/article/lawyers-report-high-level-of-satisfaction-with-their-jobs-but-stress-remains-an-issue-survey-finds>.
5. Juliana Mestasce and Kim Parker, "How Americans View Their Jobs," Pew Research Center (March 30, 2023), available at [https://www.pewresearch.org/social-trends/2023/03/30/how-americans-view-their-jobs/#:~:text=About%20half%20of%20workers%20say,paid%20time%20off%20\(49%25\)](https://www.pewresearch.org/social-trends/2023/03/30/how-americans-view-their-jobs/#:~:text=About%20half%20of%20workers%20say,paid%20time%20off%20(49%25)).