Can Lawyers Learn To Be Happy?

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Ted David

MAYBE IT STARTED when you were in college. You know — that dream to become a lawyer. Certainly by the time you entered law school you were convinced that the profession was for you. I can just bet you told your friends you wanted to be a criminal lawyer or a constitutional lawyer. By the time you got out of law school, you may have realized that tax law or corporate law was for you. But no matter, the thought of practicing law simply made you happy. So what happened? Study after study has revealed that lawyers are often unhappy in the profession. Is this because of the work we do — advocates and adversaries? Or is there something more to it? Perhaps, as the cliché goes, we are only human.

The statistics are not encouraging. Out of 105 professions, according to a John Hopkins University study, lawyers topped the list for major depression. One in four suffer psychological distress from feelings of inadequacy, inferiority, and anxiety. We are depressed at a rate 3.4 times higher than employed persons generally. We lawyers are twice as likely to commit suicide than ordinary folk in the population. And when we are not thinking about doing ourselves in, one in five is alcohol addicted. Substance abuse for lawyers is double the national level. Though statistics are scarce, divorce among lawyers is said to be higher than other professionals. One study of female lawyers found that they were twice as likely to divorce than female doctors and 20 percent to 40 percent more likely to divorce than teachers in secondary schools. Frankly, 52 percent of us simply describe ourselves as unhappy.
Now, if you’re sitting in your office or comfy at home reading this article and a feeling of happiness overwhelms you, there may be no need for you to read the rest. But if not, this article may explain some of the reasons lawyers are unhappy and how perhaps we can change our tune.

**HAPPINESS?** What is happiness? This is a ticklish question. It is that emotion that evokes joy to some, to others it is meeting the ordinary necessities of life. To quote the sage young lawyer from Illinois, Abraham Lincoln: “Most people are about as happy as they make up their minds to be.”

Ours is a profession with money, that root of all evil, at its core, in which the chief complaints are long hours and decreasing time for personal and family life.

An article in the English *Sunday Times* a few years ago, focused on the misery of American lawyers. It attributed the situation to an excessive workload, mind-numbing work, that was self-inflicted upon individuals who were basically pessimistic. The article concluded that lawyers were part of the least popular American profession. Swell.

**The Golden Ratio**

Mathematicians may find comfort in referring to a formula for happiness. One such formula is called the “Golden Ratio.” In that ratio, the numerator is what you have, the denominator is what you want. There are therefore two ways of achieving happiness by the numbers: increase the number of things you have or reduce the number of things you want. It does depend on what and how much you want. That is, what are your desires: A car or a Porsche, a house or a mansion, a child or a family of eight. Often, ever-expanding wants result in excessive work, burnout, heart attacks, miserable family life, frustration, and resentment. On the other hand, attempting to be satisfied with what you have is not easy and can also result in similar feelings of inadequacy, failure, and depression. The Golden Ratio, it would seem, may have been fine for Pythagoras, but it is tough to apply in today’s modern legal world.

**The Plight Of The Overachiever**

Are we as lawyers trained to be overachievers? And worse yet, overachiever pessimists? There are law school studies that show students who describe themselves as pessimists do better in law school. They are better able to see the legal issues in fact patterns. A child is struck by a motor vehicle. A non-lawyer thinks, “What a tragedy, is she hurt?”; a lawyer thinks, “Who is liable? And is the insurance adequate?” A pessimist believes a good day is just a bad day about to happen. An optimist on the other hand, is “a person who travels on nothing from nowhere to happiness” according to Mark Twain. Often neither the pessimist nor the overachiever is on the road to happiness. These days, schools early on begin to sort out the overachievers from the underachievers. Class work is labeled “advanced placement,” which is sought out by the overachievers and their parents. Society soon labels the underachiever as its also-rans.

The poor underachiever is to be pitied for it is the overachiever that gets the A in the course, the corner window office and the partnership designation. Often, however, the overachiever is stressed for perfection. He needs medication of some sort, counseling, and by 35 is burned out. The underachiever, on the other hand has more fun, time off, and a better lifestyle and often better health, family, and friends. He can work happily well into old age without difficulty, looks back on his life work experience fondly and in fact does incidentally accumulate more things than his overachiever brethren. The underachiever is not a no-achiever. The no-achiever is a real mess. For a no-achiever, there is no job, no career, no friends, and no respect. The no-achiever is at an opposite end from the overachiever, but has the same problems, but with no rewards. He is both defeated as well as burned out.
before he even begins. But is overachieving necessary for happiness?

As lawyers, should we be aiming to become true underachievers? What an outrageous suggestion. Is the reasonable man of negligence law a reasonable underachiever? Or have we created a standard, which is driving many of us to think twice about the profession? If underachieving is the objective, who then can be our role models?

Who is the ideal underachiever? My personal favorite is none other than Homer Simpson. Just consider his laws of the workplace: “It was broken when I got here”; “I'll look into that”; “That’s a great idea, boss.”

Homer is oblivious to his work colleagues. He is immune to peer pressure and failure. He is family-centered, happy, and well-adjusted. He desires nothing from life and receives little in return. “If you really need money, you can sell your kidney or even your car,” per Homer. The weekly television show creates situations in which Homer deviates and tries to be like others, that is, an overachiever. By the end of the half hour, he fails, falling back into Marge’s arms and he learns another valuable lesson. The theme is not unique. Jackie Gleason in The Honeymooners in the 1950s played out the same story as the loudmouth bus driver threatening to send Alice to the moon for her level-headed comments to one of Ralph’s outrageous ideas. They never moved out of that tiny apartment in Brooklyn, but they did seem to live happily ever after. Underachievers tend to be moderates. Their expectations of life are less and so are their disappointments. Life, like practicing law, may be about negotiating a decent settlement between over- and underachieving.

International Underachievers?

International studies have rated Denmark as the happiest country on earth and it’s not because of the weather. It is said to be a culture of relatively low expectations, but in 50 years there have been no wars, there is little national turmoil and it has one of the lowest murder and crime rates in the world. There is simply less worry and more contentment. All education is free, and students can take as long as they want to graduate. Healthcare, elder care, and nursing homes are provided as is Social Security. The average vacation is six weeks from a 37-hour work week. By comparison, out of 79 countries the United States has turned up a dismal 15th in the happiness department.

Are You Unhappy?

How does unhappiness manifest itself? Here is a simple self-test. Do you suffer with anger, frustration, isolation, extremism, depression, physical illness, or sleeplessness? Is life an adventure or full of endless drudgery? And if you are miserable, do you make those around you miserable, too? Or is your life one of peacefulness, serenity, friendship, contentment, restfulness, moderate fitness, and reasonable good health? Do people seek your company? Have you been invited to lunch lately?

Ten Rules Of Happiness:

- **Life is a marathon and not a 100-yard dash.** Burnout is real. Stop rushing. Take a vacation;
- **Control is an illusion.** No matter how hard you try, a great deal of life is unexpected;
- **Life is short.** No one dies gladly at the office. Make time to enjoy family and friends;
- **Great achievements create great expectations.** Underachievers may be more happy than you;
- **The law of diminishing returns applies to life.** At some point no matter what you have, you simply can’t live better;
- **Your blood pressure should not be higher than your IQ.** Your conduct creates your problems;
- **Good health does not come from overwork.** But from work being over;