

Factors Identified to Enhance and Hinder
Job Satisfaction Among Practicing Lawyers

by

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Abstract

Job satisfaction among professionals has been addressed in numerous studies, primarily using quantitative research methodologies. Limited research has been conducted regarding job satisfaction among practicing lawyers. Given the educational investment and level of personal commitment required for career success in this field, from a career counselling perspective personal satisfaction in one's chosen career path is perceived to be important. The intent of this study was to highlight common themes or patterns perceived by practicing lawyers to enhance or hinder job satisfaction. Fifteen practicing lawyers (nine males and six females) were interviewed to obtain information in the form of critical incidents regarding factors perceived to enhance and hinder job satisfaction. Participants were also asked to provide a definition of job satisfaction, rate their level of job satisfaction and indicate the importance of job satisfaction to them. Nine categories of factors were described as enhancing job satisfaction. The three factors most frequently identified were success, positive feedback and positive performance. Ten categories of factors were reported to hinder job satisfaction with three factors predominating: negative feedback, negative partner-associate relations and professional hazards. Although gender differences were apparent for both enhancing and hindering factors, these differences were more apparent for hindering factors. Definitions of job satisfaction were multi-factored and included themes regarding work enthusiasm, work enjoyment, making a positive contribution to individuals or society, a sense of accomplishment, and positive interpersonal relationships. Overall, a moderate degree of job satisfaction was reported and the majority of participants (87 percent) reported that job satisfaction was important or very important.

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CHAPTER ONE: INTRODUCTION

Population of Interest

The law profession is a moderately large occupational group, employing more than 8300 individuals in British Columbia (Human Resources Development Canada, 1995). Entry into this occupation requires substantial educational training. An undergraduate degree or three years of acceptable university studies, a sufficient academic standing, and an acceptable LSAT score are required for entry into B.C.'s law schools. Competition is strong for admission into B.C.'s two law school programmes and meeting minimum standards is generally not sufficient for programme admission.

Law school is a three-year, full-time programme in which students experience unusually high levels of stress, anxiety and depression that can, in part, be attributed to the competitive and seemingly hostile environment (Gutierrez, 1985). Early academic performance is viewed as critical to achieving long-term career success and the stresses of law school and cognitive orientation of the typical law student appear to provide an experience that encourages the cognitive approach to problem solving and relationships, and the development of external attribution of personal failures (Svarney, 1989).

Although law school has high academic expectations, law students have limited opportunities for practical experience (Gutierrez, 1985). This implies that many law school graduates, while possessing an academic understanding of their profession, have had little

exposure to the realities of day-to-day legal practice. Consequently, it is probable that many new graduates enter this demanding and competitive profession with idealistic and incongruent career expectations.

Career Issues Associated with the Law Profession

Traditionally, law students have been viewed by other university students as holding high social status and as aspiring to a profession of high prestige (Svarney, 1989). However, this perception of law as a noble profession is changing and lawyers may no longer be held in the same esteem that they once were.

Following graduation from law school, one must be admitted to the Bar in order to practice law. Admission to the B.C. Bar requires a Bachelor of Laws degree, 12 months of articling experience, and successful completion of the Bar exam. Although future job prospects in the legal community are rated as above average, lawyers have been in excess supply for many years (Employment and Immigration Canada, 1993). Consequently, lawyers struggle to generate sufficient private business in order to maintain expected income levels (Employment and Immigration Canada, 1993). Additionally, career advancement in law generally requires personal commitment and the ability to work the long hours required to produce enough "billable" hours for one's law firm.

Given the significant educational investment required to pursue this career, limited employment opportunities, and the long hours and personal commitment required for career advancement and success, it is anticipated that outside of financial expectations, a sense of job satisfaction is both desired and sought by lawyers. But what is job satisfaction and what aspects of this construct are perceived by lawyers to be most important?

Current Theories of Job Satisfaction

The theoretical foundations of job satisfaction seem to be fragmented and controversial (Parr et al., 1996). Within the available literature there are numerous definitions of job satisfaction. Locke's (1995) micro-analysis of Taber and Alliger's definition of job satisfaction suggests that job satisfaction is based on satisfaction with the job components, such as the work itself, and that satisfaction with the components is based on satisfaction with the elements that make up the components. In earlier work, Locke (1976) reported that workers are satisfied with their jobs when the work (a) is related to their work values, (b) is mentally challenging and interesting, (c) has attainable goals, (d) has fair rewards, (e) is not too fatiguing, (f) has a pleasant environment conducive to the attainment of the work goals, and (g) has people who support the workers in attaining higher wages, promotions, and self-esteem.

Composite facets that affect job satisfaction are job security, advancement in the job, financial rewards, personal autonomy, and work conditions (Newsome and Pillari, 1992).

Meir (1988) indicates that in the beginning years of one's career, there is a need for congruence between one's vocational interests and one's job to enhance the probability of satisfaction. In one's mid-career, within-occupation interests and one's chosen specialty are required to enhance job satisfaction.

The lack of theoretical clarity in terms of the construct of job satisfaction relates to a lack of consensus on which aspects or components (e.g. values, motivators) best explain the area, the variability inherent in work settings, types of workers, and discrepant measures of satisfaction (Gillet and Schwab, 1975).

Measurement of Job Satisfaction

Many instruments have been developed to measure the construct of job satisfaction. Standardized measures of job satisfaction such as the Minnesota Satisfaction Questionnaire (Levinson, 1989; Sedge, 1985), the Survey of Career Satisfaction (Parr et al, 1996), Greenhaus et al.'s 5-item scale of career satisfaction (Aryee, Chay & Chew, 1994), the Job in General (Lottinville and Scherman, 1988) and the Job Descriptive Index (Lottinville and Scherman, 1988; Morrow and McElroy, 1987) are abundant in the research literature. Survey measures of job satisfaction using likert scales to measure Herzberg's intrinsic factors relating to job satisfaction, i.e. autonomy, responsibility, work, recognition, and advancement (Newsome and Pillari, 1992) and global ratings of job satisfaction (Huebner, 1993) are also widely used. Historically, quantitative methodologies have been used to study

job satisfaction. Standardized questionnaires are the predominant tools to measure this construct despite its fragmented and controversial theoretical foundations (Parr et al, 1996).

Rationale for Study

Job satisfaction has been measured among various professional occupational groups including counsellors (Parr et al, 1996), school psychologists (Levinson, 1989; Huebner, 1993), teachers (Black-Branch, 1996), librarians (Loughridge et al, 1996), social workers, eligibility workers and juvenile court workers (Newsome and Pillari, 1992), business managers and administrators (Aryee, Chay, & Chew, 1994), engineers and engineer managers (Sedge, 1985), female medical workers (Lottinville and Scherman, 1988), registered nurses (Yoder, 1995), and psychologists (May and Corazzini, 1990). However, there is a lack of published research available regarding job satisfaction among lawyers. Additionally, few studies have implemented qualitative research methodologies to study job satisfaction. Thus, the purpose of this study was to explore and describe the factors perceived to contribute to job satisfaction and dissatisfaction for practicing lawyers using a qualitative research methodology.

The intention of this study was to identify, with the assistance of practicing lawyers, factors that enhance or hinder one's perception of job satisfaction. Given the exploratory and descriptive nature of this study, the intent was not to provide a theoretical definition of job satisfaction that is value laden and likely biased. The interpretation of the construct of job

satisfaction varied from participant to participant depending on individual factors such as work settings, types of workers (Gillet and Schwab, 1975), work values and expectations. Based on the findings produced by participants in this study, an interpretation of job satisfaction for lawyers emerged as a by-product of exploring the factors that enhance or hinder this perceived construct. This interpretation of job satisfaction, while biased and value laden, better reflects the meaning of job satisfaction for lawyers than a pre-defined construct of job satisfaction based on findings obtained from a sample of workers whose work values may differ significantly from those of lawyers. Although this construct may be familiar to other lawyers, the findings of this study are not transferable to other populations who bring differing work values and expectations to their careers.

CHAPTER TWO: LITERATURE REVIEW

Introduction

Job satisfaction has been studied with individuals employed in a variety of professional occupations including counsellors (Parr et al, 1996), school psychologists (Levinson, 1989; Huebner, 1993), teachers (Black-Branch, 1996), librarians (Loughridge et al, 1996), social workers, eligibility workers and juvenile court workers (Newsome and Pillari, 1992), business managers and administrators (Aryee et al, 1994), engineers and engineer managers (Sedge, 1985), female medical workers (Lottinville and Scherman, 1988), registered nurses (Yoder, 1995), and psychologists (May and Corazzini, 1990). Often job satisfaction has been not studied as a singular, independent construct. It has been presented as a construct that is multi-faceted and formed by a combination of intrinsic factors such as motivation, values, and reinforcements, as well as extrinsic factors such as work considerations and pay, and psychological factors such as perceived opportunities for promotion and autonomy (Parr et al., 1996).

Because of the multi-faceted nature of the construct of job satisfaction, researchers have often studied its relationship to specific factors such as worker-supervisor relationships (Newsome and Pillari, 1991), marital status and parenting responsibilities (Lottinville and Scherman, 1988), career paths (Sedge, 1985), career commitment (Aryee, Chay & Chew, 1994; Morrow and McElroy, 1987), and worker functions (Huebner, 1993).

Job Satisfaction Among Professions

Parr et al.'s (1996) study of career satisfaction sampled members of the Association for Counselor Education and Supervisor (ACES), a division of the American Counseling Association. In response to a 52-item survey, the majority of ACES members reported to be satisfied with their counselling career and would select this career again if given a choice. With respect to the specific factors relating to career satisfaction, empowerment and administrative factors were more desirable than all other factors while harmony and empowerment were the most characteristic factors. Parr et al. concluded that ACES members are more satisfied with their careers than counselling and clinical psychologists. However, it was noted that because respondents reported very low levels of stress and burnout, they may not be representative of their greater population. Within an inherently stressful occupation such as counselling where, in addition to client issues, counsellors must often cope with limited financial resources, large case loads, and restrictive administrative policies, a sample of counsellors reporting low stress and burnout likely represents a biased sample and consequently the generalizability of these findings is questionable.

Levinson's (1989) replication study of job satisfaction among school psychologists used the Minnesota Satisfaction Questionnaire to assess satisfaction in 20 different aspects of work. For overall job satisfaction, Levinson found that zero percent of respondents reported to be "very dissatisfied", 15.5 percent fell in the "dissatisfied" range, 79 percent placed in the "satisfied" range, and 5.5 percent described themselves as "very satisfied". It

was noted that of the 20 job sub-factors, school psychologists expressed dissatisfaction with only two, advancement and the school system's policies and practices. Levinson further reported that respondents who were members of the state school psychological association were more satisfied than those not affiliated with this association. He postulated that satisfied professionals may be more likely to join their professional organization than dissatisfied professionals. This replication study found that respondents were more satisfied with their jobs than findings reported by Solly and Hohenshil (1986) in West Virginia, suggesting that state-specific social and political factors may cause the job satisfaction of school psychologists in a particular state to deviate from the "norm".

Another study of secondary school psychologists (Huebner, 1993) drew participants from the National Association of School Psychologists (NASP) directory. A self-designed survey to measure job satisfaction and job functions was implemented to measure overall job satisfaction. The findings of this study indicate a "satisfied" sample. Nine percent of respondents reported themselves as "very dissatisfied", 20 percent were "dissatisfied", 55 percent were "satisfied" and 16 percent were "very satisfied". Overall job satisfaction increased as more time spent in secondary settings increased and urban school psychologists were more satisfied than rural school psychologists. Job satisfaction increased as time spent in individual and family counselling increased and time spent in assessment decreased. Unfortunately, Huebner's findings are not comparable to those reported by Levinson (1989) as different measures of job satisfaction were used. Furthermore, if school psychologists

more satisfied in their jobs are more likely to be affiliated with a professional organization than those who are not (Levinson, 1989), using members of the National Association of School Psychologists may have contributed to sampling error and consequently biased the results in a positive direction.

Black-Branch (1996) used a combined qualitative and quantitative approach that included survey and interview data to measure job satisfaction among teachers. For overall satisfaction, 20 percent of teachers surveyed indicated that they were "very satisfied", 60 percent were "somewhat satisfied", one percent were "neutral", 15 percent were "somewhat dissatisfied", and four percent were "very dissatisfied". On average, teachers rated their general level of satisfaction as "somewhat satisfied" with males reporting slightly more satisfaction than female teachers. Older teachers were generally more satisfied than younger teachers and the level of satisfaction appeared to increase with teaching experience. Black-Branch also explored factors believed to be related to overall job satisfaction. These include work conditions, physical environment, remunerations, career development, teaching responsibilities, student/parent, additional concerns, and federation/union. Overall, teachers were "somewhat satisfied" with work conditions, "most satisfied" with the physical environment, "somewhat satisfied" with remunerations, variably satisfied with different aspects of career development, "somewhat satisfied" with teaching responsibilities, "somewhat dissatisfied" with students and parents, "somewhat satisfied" with additional concerns such as commuting time, commuting mode, parking, and location of the school, and

variably satisfied with the five items related to federation/union. As age increased, teachers were more satisfied with various aspects of their work and teachers with greater than 20 years work experience were most satisfied with all eight factors considered in this study. Although positive correlations existed among all factors within a work setting, the strongest correlations existed between job satisfaction and federation/union, remunerations, and teaching responsibilities. However, it should be noted that this study focused on British teachers and thus the different educational focus and organizational structure within the Great Britain school system may prohibit these findings from being generalizable to North American teachers.

Relationships Between Job Satisfaction and Other Constructs

Sedge (1985) compared the career paths of engineers who (a) continue to concentrate on their technology or (b) make a career transition into technical management. Factors that were measured include needs, interests, and job satisfaction. Job satisfaction was measured by the Minnesota Satisfaction Questionnaire. Results indicate that engineer-managers have significantly higher needs for dominance, intraception, and autonomy than engineers. Interests as measured by the Vocational Preference Inventory indicate that the engineers have a significantly stronger score on the investigative scale than engineer-managers. In terms of job satisfaction, engineer-managers demonstrated a significantly higher mean satisfaction than engineers. Using a multiple regression analysis, Sedge reported that one's job (engineer or engineer-manager) was highly significant in predicting job satisfaction with engineer-

managers exhibiting a significantly greater ability to predict job satisfaction than the engineers' job. There was also a significant interaction effect for job x needs. Although neither group demonstrated high levels of job satisfaction, engineer-managers were more satisfied than engineers. A number of factors potentially account for this difference including the fact that a dual promotional system does not really exist with engineer-managers the only real recipients of promotional rewards. Alternately, because engineer-manager salaries are higher, this difference could be age related or, affiliative and dominance needs may be met in a management career.

Lottinville and Scherman (1988) studied job satisfaction among married, divorced, and single working women in a medical setting. Three questionnaires, the Job Descriptive Index, the Job in General, and the Job Satisfaction Questionnaire were implemented to measure job satisfaction. Subjects were divided into four groups: married with children, married with no children under 18 years living at home, divorced with at least one child under 18 years living at home, and single (never been married and no children). These groups were further divided into two job levels: professional and clerical/technical. Lottinville and Scherman found a significant positive relationship between job level and job satisfaction with professional women being more satisfied. Explanations for this finding include the fact that workers at professional levels of employment are usually more autonomous, are involved in more intellectually challenging work, have more options for promotions, and are usually paid more than clerical or technical workers. Marital status did not affect job satisfaction.

Potential reasons for this include the ability of divorced women to find their sense of identity and self in their careers, divorced women may isolate their work from their personal problems, divorced women may be so concerned with physiological survival that other concerns become secondary, medical hospital settings may be perceived by employees as supportive and prestigious work environments, workers may feel a sense of contributing to others, or divorce may be growth producing event in which a woman experiences new challenges and becomes more autonomous and self-confident. Given that Lottinville and Scherman focused on recently divorced women (divorced 24 months or less), further research would be necessary to determine if the same level of job satisfaction is found within a broader sample of divorced women. It is possible that once women have adjusted to their change in marital status, they may adopt a different career focus or change their perception of job satisfaction.

Loughridge, Oates, and Speight (1996) followed the career development of Master's graduates from the Sheffield librarianship programme. One purpose of this study was to measure factors affecting job satisfaction. A survey questionnaire was used to elicit information regarding job satisfaction and factors affecting job satisfaction and dissatisfaction. A relatively high level of job satisfaction was reported with 55 percent of respondents reporting satisfaction with their first post and 79 percent of those who had more than one job reporting satisfaction with their current employment position. The features of professional positions that tend to provide most satisfaction are: contact with readers,

personal responsibility for particular services or tasks, the opportunity to complete given tasks successfully and, generally, more complex and demanding tasks which provided a professional challenge. Inquiry work in particular was regarded as the most enjoyable and satisfying aspect of professional positions. The principal causes of job dissatisfaction in first posts were monotonous or routine clerical or non-professional tasks, the lack of opportunity to apply skills acquired during professional education, the attitude of management, and the effect on morale of the perceived low status of the profession in general and respondents' low status within their organizations. In second and subsequent posts, job dissatisfaction was more likely to arise from work pressures, lack of time, shortage of resources and the poor quality of senior management, although the amount of routine tasks associated with more senior professional posts continued to cause resentment. Notably, although the majority of graduates responding to the survey are still working in the library and information field and report satisfaction with their career choice and experience thus far, a substantial number of respondents have left or are actively considering leaving the profession. This finding is somewhat contrary to the high ratings of job satisfaction, particularly among individuals who have worked in one or more jobs.

Relationships Between Job Satisfaction and Other Work-Related Factors

Much research has focused on the relationship between job satisfaction and other work-related factors, reflecting the perception that job satisfaction may be more strongly linked to some factors than others. For example, Newsome and Pillari (1991) examined the

correlation between job satisfaction and the worker-supervisor relationship for human service workers. A survey was used to obtain demographic information and measure participants' perception of role strain, work role, satisfaction, supervisor-worker relationships, relationships with co-workers, and the relationship between work and family life. In this study, composite factors that affect job satisfaction are job security, advancement in the job, financial rewards, personal autonomy, and work conditions. Worker satisfaction, on average, was higher for job security and personal autonomy but workers were generally uncertain regarding their satisfaction for the remaining components. Only a mild relationship between supervisory relationship and satisfaction with clients on one hand and job satisfaction on the other was indicated for social workers and eligibility workers and no statistically significant relationship was found for juvenile workers. This study examined all human service workers within a municipal agency and it is possible that more consistent results may have been achieved had the study focused on only one segment of this population. Because the duties and responsibilities required of social workers, juvenile workers, and eligibility workers differ significantly, factors affecting job satisfaction may also differ. For example, supervisor relationships may be of greater importance to job satisfaction in paraprofessional positions that do not permit the same degree of autonomy as is found in professional positions. Alternately, supervisor relationships may have a greater impact on perceived job satisfaction for professionals where the relationship may be more collegial than supervisory.

In a study of the predictors and outcomes of career commitment in three career stages, Aryee, Chay and Chew (1994) hypothesized that the relationship between career satisfaction and career commitment will be more strongly positive in the stabilization stage of career than in the trial and maintenance stage. In the trial stage (< 2 years in one's career), individuals are concerned with developing a professional identity and achieving a sense of mastery and competence in their organizational roles so there might be only a few opportunities to experience psychological success and career growth, relative to those in the stabilization (< 2 years and > 10 years) and maintenance (> 10 years) stages. Because there is less emphasis on career success in the maintenance stage, career satisfaction is most likely to enhance one's career commitment in the stabilization stage. Career satisfaction was measured by a five-item scale. It is interesting to note that Aryee, Chay and Chew report that correlations of .13 and above are significant at the .01 level, reflecting their large sample size. Consequently, significant relationships were found between career satisfaction and all of the factors. These include organizational commitment, job characteristics, supervisor support, expected utility of present job, career stage, career commitment, and skill development. Identified limitations in this study include the representativeness of this sample and thus the generalizability of the findings, and the modest amount of variance in career commitment explained by the measured factors. It should be further noted that this study took place in Singapore and therefore cultural factors regarding employment expectations, career commitment and job satisfaction may also limit the generalizability of these findings.

Meir (1988) investigated the relationship between vocational interests and occupational choice satisfaction in Israeli men and women. Interestingly, five respondents were not used because they were "housewives" who claimed to have made "no occupational choice at any time". Occupational choice satisfaction was measured by three questions: 1) to what extent are you satisfied with your occupational choice? 2) do you feel that in your occupational choice you have opportunities to express your skills?, and 3) do you feel that your occupational choice suits your occupational interests? Results were compared with participants' measured vocational interests taken from the Ramak Interest Inventory in 1965-66 as twelfth graders. The correlation between vocational interest and job congruence on the one hand and occupational choice satisfaction on the other was close to zero. In defence of his non-significant findings, Meir suggested that after so many years, the choice of specialty within one's occupation becomes the major factor affecting one's occupational choice satisfaction rather than the occupation as such. An alternate explanation could be that an individual's occupational interests are not stable at the age of 17 years due to ongoing identity development at that age and a lack of exposure to the work environment. To expect that one's measured occupational interests at age 17 to remain stable to age 36 may not be reasonable. A significant relationship between occupational interests - job congruence and occupational choice satisfaction might have been attained had the author re-administered the interest inventory at the time of this study rather than rely on results obtained 19 years previously.

Summary of Literature

Current research on the construct of job satisfaction has focused on a variety of professions including school psychologists, teachers, engineers, health care workers, librarians, human service workers, and business executives. Job satisfaction has been studied both alone and in relation to career and non-career factors. Generally, quantitative measures have been employed to measure job satisfaction. However, the standardized questionnaires used in these studies are based on theoretical foundations described as fragmented and controversial (Parr et al, 1996). Methodological limitations have been identified with respect to sampling error, limited generalizability of findings, measurement error, and lack of comparability between studies due to differing definitions of job satisfaction. There is a lack of published research available with respect to the study of job satisfaction among lawyers and few studies have applied a qualitative methodology to measure job satisfaction. Consequently, it is the intention of this study to explore and describe factors that enhance and hinder job satisfaction among practicing lawyers.

Research Questions

This is an exploratory study whose purpose is to identify the factors perceived by practicing lawyers to enhance and hinder job satisfaction. Thus, this study will attempt to answer three questions: 1) what factors are identified as enhancing job satisfaction for lawyers? 2) what factors are perceived to hinder job satisfaction for lawyers? and 3) are the lawyers in this sample satisfied with their current career choice?

CHAPTER THREE: METHODOLOGY

The Critical Incident Technique

Given the exploratory and descriptive nature of the aforementioned research questions, a qualitative research methodology was chosen to operationalize the construct of job satisfaction. The methodology of choice is the critical incident technique which uses interview procedures to collect information from people about their direct observations of their own or others' behaviour (Woolsey, 1986). It is an exploratory research method that has been shown to be both reliable and valid in generating a comprehensive and detailed description of content domain (Anderson and Nilsson, 1964). The two basic principles of the critical incident technique are that factual reports of behaviour are preferable to ratings and opinions based on the general impressions and that only behaviours that make a significant contribution to the activity should be included (Woolsey, 1986).

There are five steps required to implement the critical incident technique. These include: 1) determining the aim of the activity to be studied, 2) setting plans, specifications, and criteria for the information to be obtained, 3) collecting data, 4) analyzing the thematic content of the data, and 5) reporting findings (Woolsey, 1986).

Methodological Considerations

The rationale for choosing the critical incident technique as a research methodology is based on the exploratory nature of the research question. Factors that enhance or hinder an individual's perception of job satisfaction can be elicited by asking participants to describe experiences perceived to enhance or hinder their feeling of job satisfaction, i.e. critical incidents. From a qualitative, exploratory perspective, the information elicited from participants using this methodology will permit the richness of their experiences and perceptions to be shared in a manner that focuses on factual, observable events. Although themes are ultimately drawn from the participants' perceptions of events, the orientation requires an event to have occurred.

The ability of the critical incident technique to measure the construct of job satisfaction depends on how the aim of the study is determined. The degree to which the question of enhancement and hinderance of job satisfaction can be clarified and simplified will impact on the ability of participants to recall relevant incidents or events. It is anticipated that using simple everyday language (Woolsey, 1986) will enable participants to interpret the construct of job satisfaction in a consistent manner. The use of several pilot interviews will assist in determining the appropriateness of the constructs used in this study.

The trustworthiness of the critical incident methodology can be strengthened by the ability of the researcher to identify and differentiate between relevant and irrelevant incidents

or events. Additionally, it is important that the researcher be open and not lead participants during the interview process. A valid and reliable study using the critical incident technique will require the researcher to remain receptive to the reported findings rather than lead participants in the direction that the researcher believes to be important.

With respect to the interpretation of data, reliability can be achieved through the use of independent judges to sort incidents into categories to determine whether categories can be replicated. Correct classification of 75-85 percent of critical incidents into categories and 60-70 percent of sub-categories correctly classified will be required to achieve inter-rater agreement (Anderson and Nilsson, 1964). Additionally, checking categorizations with participants will also serve to achieve this goal.

The critical incident technique is a feasible research methodology that permits the richness of participants' perceptions and attitudes to be elicited in a manner that focuses on factual events and observable behaviours. This focus on facts and events, delineating the concept to be explored in a clear, concise manner, structuring the interview, seeking inter-rater agreement in the analysis of data, and using participant feedback to ensure correct categorical and sub-categorical classification will provide increased standardization to this qualitative research methodology. Additionally, such strategies will help to limit research and participant bias to a greater degree than many qualitative research methodologies.

There are a number of limitations to using the critical incident technique. First, one must be aware of the increased potential for researcher bias. Second, the use of a relatively small participant sample will limit the generalizability of research findings. However, because this is an exploratory, descriptive study, the intention is to establish themes and patterns rather than claim cause and effect relationships.

Participant Sample

This study focused on "practicing" lawyers. All participants were required to have been employed as a lawyer at the time of this study. Given that individuals within the trial stage (employed in a career path for less than two years) of their career may be more concerned with developing a professional identity and achieving a sense of mastery and competence than in attaining career satisfaction (Aryee, Chay and Chew, 1994), participants were required to have worked as lawyers for more than two consecutive years.

The major purpose of a critical incident study was to provide complete coverage of the content domain (Woolsey, 1986). In order to attain a wide range of respondents, few limits were set on sampling. Participant referral and volunteer recruitment was implemented to attract potential participants and consequently, the sample did not consist of persons selected for characteristics that are related in a systematic way to the focus of the study (Woolsey, 1986). Given the exploratory nature of this study, it was unknown what size

sample will be required to achieve thematic redundancy. It was anticipated that the sample size will likely range from 10-15 participants.

Informed consent was required for participation in this study and confidentiality will be ensured through lack of overt subject identification. Information obtained from participants in this study is intended for use in this study only and individual participant information will not be released under any circumstances without the informed written consent of study participants.

Procedure

Participants were provided with an introductory cover letter, consent form, and short demographic questionnaire. The introductory letter explained the purpose of the study, how the results will be used, and what steps will be taken to ensure anonymity and confidentiality. Participants were asked to sign a consent form indicating an understanding of the purpose of the study and the use of the results. No data was used without the informed consent of the participant. A short questionnaire was provided to elicit demographic information from each participant. This information included age, gender, cultural background, education, marital status, parental status, work experience in the legal field, the size of the participant's current employing firm, the duration of employment with one's current law firm, the participant's position in the firm, area of specialization, average number of hours worked per week, and employment status, i.e. full-time, 80 percent, half-time, etc.

A structured, audiotaped interview was held with each participant employing the following outline:

Focus of Interview: "Please focus on your current career as a lawyer."

Criteria Checks: "What are some of your job duties?"
 "What percentage of your time do you spend doing these duties?"
 "Can you describe a typical day at the office?"

Context: "Think of a particular time in your career that you were very happy and satisfied in your job."
 "What was happening then?"

Critical Incidents: "Please describe a particular incident or incidents when you did something or something happened that significantly enhanced your sense of job satisfaction."

Check Effect of Incident:

Additional Information to Clarify Incident:

Search for other Incidents:

Context: "Think of a particular time in your career that you were very unhappy and dissatisfied in your job."
 "What was happening then?"

Critical Incidents: "Please describe a particular incident or incidents when you did something or something happened that significantly hindered your sense of job satisfaction."

Check Effect of Incident:

Additional Information to Clarify Incident:

Search for other Incidents:

Rating of Job Satisfaction: "Overall, how would you rate your level of job satisfaction as a lawyer?"

Definition of Job Satisfaction:

Importance of Job Satisfaction:

Retrospective data was permissible although more recent, direct observations are desired (Flanagan, 1954). In cases where the participants are reporting on other people or events less important to them, recency will be of much greater significance (Woolsey, 1986). Empathic listening and perception checking will be used to ensure a correct understanding and to fully capture the essence of what is being reported. The interview will follow this structure until the participant is no longer able to elicit new and different "critical incidents". Interviews will be tape recorded and transcribed.

Data Analysis

Data analysis provided a detailed, comprehensive, and valid description (Woolsey, 1986) of critical events related to job satisfaction. Reports that demonstrate a critical event related to job satisfaction or dissatisfaction were used in this analysis and events were categorized into clusters that seem to group together (Woolsey, 1986). Incident information included the general context, the specific context, the source, the agent, and the outcome (Woolsey, 1986). Headings and subheadings under which the data are reported served to establish the level of generality. The level of generality-specificity was based on the basis of maximizing the richness and distinctiveness of categories (Flanagan, 1954). Reliability of categorical and sub-categorical classification was established through the use of independent judges and reference checking with participants. Correct classification of 75-85 percent of critical incidents into categories and 60-70 percent of sub-categories correctly classified was required to achieve inter-rater agreement (Anderson and Nilsson, 1964).

Limitations

The limitations to the design of this study pertain primarily to the ability to achieve broad sampling within a small sample size, and methodological limitations related to potential researcher bias. Preventative measures to reduce the latter limitation included conducting pilot interviews to "fine tune" the interview structure and interviewing skills.

Another potential methodological limitation is the ability to state the aim of the critical incident study in a simple and clear form. The use of simple, everyday language was used to convey meanings in an obvious manner.

The intent of this study was not to generalize the findings to all lawyers or other working professionals. The value of this study was to provide a rich, descriptive account of the factors perceived as important to job satisfaction in a small sample of practicing lawyers.

Summary

The issue of job satisfaction for individuals employed in a variety of professional occupations has been addressed in numerous studies, primarily using quantitative research methodologies. Little research has been conducted regarding job satisfaction in practicing lawyers. Given the educational investment and level of personal commitment required for career success in this field, from a career counselling perspective it is important that

individuals receive some level of personal satisfaction in their chosen career path. This study intended to highlight common themes or patterns perceived by practicing lawyers to enhance or hinder job satisfaction.

The identification of factors commonly perceived to enhance and hinder job satisfaction will enable counsellors to develop a holistic picture of the issues faced by lawyers and assist lawyers to address these issues. This is significant as one's level of job satisfaction can affect one's emotional well-being and personal growth. From a preventative standpoint, this information will also be helpful to counsellors working in higher education settings with individuals considering law as a possible career option. It is important to understand the day-to-day realities associated with a career choice in order to make a well-informed career decision.

CHAPTER FOUR: RESULTS

Demographic Characteristics of Participants

Participant recruitment included the advertisement of this study at the Law Society of British Columbia, Legal Aid, the Criminal Law Clinic, the Vancouver Aboriginal Justice Centre Society, and the University of British Columbia Faculty of Law. No participants were obtained via this recruitment strategy. Personal contacts and networking were employed to recruit participants. Interviews were held over a one month period in the homes and offices of participants. Only three participants expressed concerns regarding confidentiality. Issues of confidentiality and other concerns and were addressed prior to interview participation. Data collection ceased following the completion of fifteen interviews due to repetition of reported critical incidents.

Fifteen lawyers were interviewed as part of this study; nine males and six females. This represents a 3:2 ratio of males to females, higher than found within the population of lawyers this sample is intended to represent. According to The Law Society of British Columbia (1997), only 22 percent of insured, practicing lawyers are females. Human Resources Development Canada statistics (1996) indicate that 24.7 percent of lawyers in the Greater Vancouver labour market are female. Consequently, the larger proportion of female lawyers in this study was taken into consideration in the interpretation of results.

Three participants were 25-29 years old, six were 30-34 years of age, three individuals placed in the 35-39 age group, two were 40-44 years of age and one participant was in the 45-49 age group. Human Resources Development Canada statistics (1994) indicate that the average age of lawyers in the Greater Vancouver labour market is 39.9 years, slightly older than 80 percent of participants. Thus, the younger age of participants was considered in the interpretation of results.

Seven participants described themselves as Canadian, two individuals identified their sexuality (gay) as part of their cultural background, and the remaining six participants reported their cultural backgrounds as German, South African, French, "Newfoundlander", Japanese and Jewish.

Seven participants were married, five were involved in common law relationships including the two gay participants, one individual was separated, one was divorced and one individual was single. Five of the six female participants did not have children and the sixth was pregnant. Three fathers participated in this study and the remaining six males did not have children. The two oldest participants, both male, did not have any children and were not married, although both were involved in common law relationships.

Fourteen participants' highest level of education was a Bachelor of Laws degree. One female participant holds a Master of Law degree and was working toward a doctoral degree at the time of participation in this study.

Employment experience in law ranged from two to fourteen years. While the mean number of years practicing law was 5.73, ten participants reported less than five years experience. Two participants had practiced law for six to ten years and three individuals had practiced law for 10-15 years. The Law Society of British Columbia (1997) reported that the largest percentage of lawyers (38 percent) have practiced law for 2-11 years. The next largest group (33 percent) have worked 12-21 years in this profession. The majority of participants had practiced law for less than five years. This suggests that the experiences and perceptions derived from participants may reflect the experience of younger junior lawyers and therefore may not be as familiar to older, more experienced lawyers who have attained greater autonomy and professional responsibility.

The majority of participants (85%) were employed as associates. One individual was a partner in a small law firm. All but one participant were employed by private law firms. This proportion of privately practicing lawyers is greater than reported by the Law Society of British Columbia (1997) statistics which indicated that 70 percent of its membership are employed in private practice. Work experience with one's current employer ranged from two to fifteen years with the average duration of employment in one's present position at

3.87 years. Sixty percent of participants worked for small law firms employing less than ten lawyers. One individual worked in a firm employing 11-20 lawyers, two participants were employed by mid-size firms (21-30 lawyers), and three participants worked in large firms (two individuals work in firms employing 51-60 lawyers and one worked in a firm employing 71-80 lawyers).

Participants reported a wide range of specialization within the practice of law. Two individuals were employed as general litigators, two participants worked in corporate/commercial law, one primarily practiced family law, three were involved in insurance litigation, one individual specialized in aboriginal law, two participants worked in the field of child protection, one participant was a taxation lawyer, one individual described himself as a general lawyer, taking on a variety of cases, and two participants worked primarily in the area of labour law. All fifteen participants were employed on a full-time basis. Although it was unanimously reported that work hours fluctuate depending on one's case load, six individuals worked an average of 40-50 hours per week, seven participants worked 50-60 hours per week and two individuals worked 60-70 hours per week.

This small sample of lawyers may represent a subset within the population of B.C. lawyers. A number of factors set this sample apart from the population as a whole. These include the larger proportion of female lawyers than represented in the population, participants' younger than average age, the high percentage (85%) of lawyers employed in

private practice, and the fact that the majority (85%) of participants were employed in associate positions. It is possible that these demographic characteristics may impact on the perceptions and recalled incidents of participants, thus representing the experiences of young associates, one subset of practicing lawyers.

Data Collection

Data was obtained via a demographic questionnaire and an interview employing the critical incident methodology to collect descriptions from participants about their direct observations of their own or others' behaviour (Woolsey, 1986). Specifically, participants were asked to describe specific events perceived to enhance or hinder job satisfaction. All interviews were audiotaped and ranged from 30-90 minutes in duration. Most individuals required 45-60 minutes to exhaust their recollection of critical incidents. Using the critical incident methodology to collect data proved to be difficult for some participants while relatively easy for others. The most frequently reported difficulty related to participants' inability to recall a specific example of an event illustrating the enhancing or hindering nature of an identified factor. Additionally, participants reported that some global factors related to job satisfaction could not be reported within the parameters of a critical incident. Overall, 70 critical incidents describing factors perceived to enhance job satisfaction were reported with participants describing an average 4.67 incidents. Sixty-nine critical incidents describing factors perceived to inhibit job satisfaction were reported at an average of 4.60 critical incidents per participant.

Factors Identified as Enhancing Job Satisfaction

Participants provided 70 examples of critical incidents describing factors perceived to enhance job satisfaction. Only data that described a specific event was classified as a critical incident. It was imperative that an specific example of a factor be described in order to be considered acceptable data. Critical incidents were divided into nine general categories. Some categories include a number of sub-categories. Additionally, different aspects of a reported critical incident were classified into different categories. In some cases, multiple factors were identified within a given incident and as such, were classified into two or more categories.

Inter-rater reliability was achieved for critical incidents that described enhancing and hindering factors. After factors had be classified into categories and inter-rater reliability had been achieved, a second interview was held with participants to obtain feedback and further explanation regarding the critical incident information that they had individually provided.

On the following two pages are tables summarizing the factors identified as enhancing job satisfaction for the entire sample and for each gender group.

Table 1. Summary of Factors Identified as Enhancing Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
Positive Feedback a) Partner/Supervisor b) Peer c) Judge	25	93%
Success a) Winning a Case b) Negotiating a Good Settlement c) Promotion d) Obtaining Employment e) Receiving a Referral	30	87%
Positive Performance	20	80%
Altruism/Justice a) Helping a Client b) Justice was Served	9	47%
Intrinsic Qualities of Law a) Challenging b) Innovative c) Intellectually Stimulating	7	47%
Other a) Factors not Classified Elsewhere	10	40%
Peer Relationship a) Co-worker b) Opposing Counsel	5	33%
Partner-Associate Relations a) Immediate Supervisor b) Senior Partner	5	33%
Client Appreciation	9	27%
Client Relationship	6	27%

Table 2. Summary of Factors Identified by Males as Enhancing Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
1. Success	20	89%
1. Positive Feedback	17	89%
3. Positive Performance	13	78%
4. Other	6	44%
4. Peer Relationship	4	44%
4. Intrinsic Qualities of Law	4	44%
7. Client Appreciation	8	33%
7. Altruism/Justice	3	33%
9. Client Relationship	4	22%
10. Partner-Associate Relations	0	0%

Table 3. Summary of Factors Identified by Females as Enhancing Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
1. Positive Feedback	8	100%
2. Success	10	83%
2. Positive Performance	7	83%
2. Partner-Associate Relations	5	83%
5. Altruism/Justice	6	67%
6. Intrinsic Qualities of Law	3	50%
7. Other	4	33%
7. Client Relationship	2	33%
9. Peer Relationship	1	17%
9. Client Appreciation	1	17%

Success

Participants described incidents classified in the category Success most often with 30 reported incidents describing some aspect of Success. Eighty-nine percent of male participants and 83 percent of female participants reported incidents describing Success, suggesting that this factor was important to the job satisfaction of participants. Success can be defined in a number of ways and therefore the category Success included a number of sub-categories such as winning a case in court, negotiating a good or fair settlement, obtaining a promotion, increased responsibility on-the-job, receiving a referral, and obtaining employment. Most often, winning a case was reported as an example of Success. A typical example of a critical incident that described winning a case was provided by Participant 010:

"I'm thinking of a client who was charged with driving while prohibited and had a trial and had a very real defence--he wasn't driving and very good reason why he was charged because he did something very foolish. He got behind the wheel in order to protect his girlfriend who actually was driving. Preparing for it was a difficult matter. I had a couple of disputes with the client which I managed to get resolved and then had a trial and at the end of the trial when you give evidence for the defence, you stand up for your summation first. I stood up and said to the judge, "Well, this is obviously a question of whether you have any doubt about whether or not the client was driving." The judge said, "That's okay, Mr. "K"" This is a good sign when you're cut off by a judge. "Let me just hear from your friend." And the crown stood up and said, "I have a reasonable doubt" and sat down. That was the crown's submission so it was clearly

a win and the judge acquitted the client and also said something nice about the client. He said, "If I'm wrong and you were guilty, I think you'll feel worse about it and you'll punish yourself." And then he said, "And thank you Mr. "K" for your preparation." I mean that was a really good day. I did a lot of work and got the best possible result for the client and it felt good."

Different aspects of this critical incident were classified into different categories. Winning the case was classified as Success. The positive comment from the judge was classified as Positive Feedback, and feeling good about getting the best possible result for the client was classified as Altruism/Justice. Thus, some critical incidents were placed in several categories while others described only one factor related to job satisfaction.

Negotiating a settlement for one's client was also classified in the category Success. For some participants, Success meant obtaining a "good" settlement for a client while other individuals described a "fair" settlement for both sides as Success. A "good" settlement outcome was reported by Participant 007:

"A food poisoning case in which I thought we had a... it was a real crap shoot as to whether or not we would succeed at trial, and because it was a small claims matter the rules of evidence are not as rigid as they are in the Supreme Court and we ended up settling it for basically a song."

In this case, Participant 007 advised that the settlement was successful because she did not have to award the plaintiff as much in damages as might have been the case if the case had gone to trial. There is no implication that this was a "fair" settlement for both parties.

Participant 013 described a case where a "fair" settlement was made that satisfied both parties:

"About a month ago an adjuster, who is my client, and I met with plaintiff's counsel in his office, discussed the issues of the file and we settled it. And I just knew the file inside out and was actually telling the adjuster things and that made me feel really good. And at the end of it he said, "Well "M", another excellent job." I settled it for a really good, fair price that both sides could live with and I knew myself and I think that was important to me."

Success was also reported outside the courtroom or mediation room. Examples describing having a case referred or being chosen for a position of responsibility or prestige were also classified in the category Success. Participant 006 reported several examples of this measure of Success including the following:

"When I was moved to, well I was chosen as the only junior member of our designated defence team at our downtown office when they reorganized the litigation department. I was pitted against a number of senior barristers in that competition and that was really satisfying. There was some prestige attached to it and lawyers, I don't know whether

instinctively or by training or a combination of both have an unsated need to win and that was exemplary of that."

Obtaining employment was also classified as an example of Success, particularly given the competitiveness of the current job market. The Occupational Information Survey for the Metro Vancouver Labour Market (Aug. - Nov. 1995), produced by Human Resources Development Canada, indicates that while the employment demand for lawyers is rated as average, competition for articling positions is intense and increasingly, lawyers are having to move away from Vancouver in order to obtain employment. Consequently, being offered a job was classified in the category Success. An example of obtaining employment was provided by Participant 014:

"Just getting my job I felt a lot of satisfaction because of the difficulty a lot of my friends were having. I got my job after articling. Either you get kept on where you're articulated or you don't and you have to look for a new associateship position. And so I didn't get kept on where I articulated and within a week or so I had gotten this new job and everyone was talking about how hard it is to get associate's positions and so I was feeling very good about having got it."

Although incidents describing Success were reported most frequently by both male and female participants, males described twice as many incidents describing Success. To some degree, this finding is not surprising given the ratio (3:2) of male to female participants.

However, this fact alone does not account for the difference between the number of incidents reported by male and female participants. This discrepancy may indicate that the male participants are more achievement oriented than female participants, tending to measure job satisfaction by external measures such as winning a case.

Positive Feedback

The next most frequently reported category of incidents described the receipt of Positive Feedback from one's supervising partner, peer, or a judge. Receiving Positive Feedback was identified in 25 incidents and represented the second most identified category by both males and females (17 and 8 incidents respectively). However, more individuals described incidents of Positive Feedback (100 percent of females and 89 percent of males) than was the case for any other category. This category was entitled Positive Feedback because the feedback was contingent on the quality of work. This contingency suggests that receiving feedback is different than receiving validation which may not be dependent on the quality of a particular piece of work. Participant 001 described an incident where he received Positive Feedback from his supervisor:

"I'm thinking of specific letter that I wrote not for my boss in the position that I just left but my previous boss before that. He was quite impressed with this letter. He had been giving me a lot of flak about the fact that I wasn't giving him what he wanted on this certain file and I drafted a letter for him that he gave to one of the customs officials out

at the airport to try to convince them to let our client take a flight on short notice. So, he was quite impressed with this and said, "That's a really good letter". "

Participants also reported incidents describing the receipt of Positive Feedback from peers. Participant 009's example is typical in that most examples of describing the receipt of Positive Feedback from peers suggest that Positive Feedback is not the central factor enhancing one's sense of job satisfaction, rather a pleasant, secondary factor.

"I spent many years working on a case involving the Combines Investigation Act as it was then called and it was a like a lot of little reported decisions as this thing made its way through the courts. We were in the Court of Appeal three times which I'm usually not involved in things that go on that long. Any court action goes on long enough but this went on for many many years and it just involved issues that I'm not typically involved in and it involved negotiating with lawyers in Ottawa that work in kind of a specialized area involving this kind of competition act--they now call it prosecutions and they were very complimentary when it was over. The client was complimentary. It was just all an interesting and different experience and it all started out with search warrant issues and that's what we spent most of our time dealing with because our client was being searched when it all started. "

Other examples of Positive Feedback described recognition of one's work from a judge or other authority figure. Participant 012 specialized in labour law and appeared in front of a

labour relations board rather than a judge or jury. She reported being satisfied not only with her own performance but was pleased to receive Positive Feedback from the labour relations board:

"A few months ago I was working with "TR", who's the senior partner in the group, with a very high profile but difficult, difficult client and we'd been working together for months, and at a very crucial part of some litigation at the Labour Relations Board "T" had to leave and I was kind of left holding the bag with again, it's a little trio of high profile clients and a big head honcho from the Labour Relations Board and union counsel on the other side and you could see everyone looking at me thinking, "Oh my god, this poor woman has been left in this position", feeling a bit sorry for me and it went okay. It really went okay and during that day I had one of my clients acting abysmally. He was clearly challenging me because I was a young woman and he didn't have confidence in me and he was sort of making snide comments. So, A) the hearing went very well but B) I took him and his little friend out in the hall and said, "Listen...", played the tough blustery lawyer he wanted me to be. I said, "This is bullshit and stop acting this way and you're not doing yourself any good" and whatever. Had my words with him. That was effective. The hearing was effective. And then the board, the guy at the board who I was in front of knows "T" very well, he used to be a partner here, phoned with many accolades about how that had all gone and "T" was very good about coming and telling me that. That was a good day. I just thought that the board thinks I'm okay and I exist on the labour law map now."

Although both genders reported incidents describing Positive Feedback more frequently than every other category but Success, male participants provided more examples of events classified in this category than female participants (17 v. 8 events). This may be partly attributed to the fact that this sample includes one third more males than females. Additionally, as with the category Success, male participants may perceive job satisfaction to be more contingent on external factors such as Success and Positive Feedback than female participants. That is, the male participants may be more externally oriented than females with respect to identifying factors that enhance job satisfaction.

Positive Performance

The third most frequently reported category of events for both genders was Positive Performance at an eighty percent participation rate. This category includes incidents where the individual described the quality of his/her work. Although events describing Positive Performance often include descriptions of Success and Positive Feedback, they can also be independent of those factors. An incident was classified under the category Positive Performance when the individual described a sense of satisfaction with the quality of his/her work. Participant 003 described an example of Positive Performance where he was pleased to have won his case but was also satisfied that he did a good job:

"I remember doing a particular trial. That would now be three years ago, I think. Three or four years ago. I was acting for the defendant, an insurance company, and we won and I don't get to trial very often because a lot of cases settle but it was a trial that

went ahead and a lot of it turned on... the result turned on the credibility of the plaintiff and her husband and I did, I thought, a very effective job of cross examining them and the judge found that they had no credibility and we won and it was... I felt that in that particular case I had been able to focus my skills effectively on a particular problem and I had gotten a good, a very good result for my client and I felt a great deal of satisfaction about my abilities as a lawyer following that result.

I did everything right. Nothing went wrong and...you know, as things do, things happen during the course of the trial and I was able to respond and deal with problems as they came up and more particularly, I think I had a lot of... you know the cross examination of the witnesses was fairly detailed and involved. There were a lot of credibility issues that I thought I handled the cross examination well. And because even though I'm a litigation lawyer I don't get into court very often, I don't get much chance to practice those, what we think of as the most important skills the employer has, it was satisfying to actually get into court and get a chance to exercise those skills and be successful at it."

In this incident, the participant focused on the quality of his work rather than the outcome of the case. In other descriptions of events classified as Positive Performance, this factor was often linked to a successful outcome or the receipt of positive feedback as is the case in the foregoing incident:

"Another example which was actually tremendously long case I did a very long time ago. A client ended up pleading guilty to counterfeiting money and as far as I know, and I haven't really been following it since, it was the only case in Canada where the printer didn't end up going to jail counterfeiting and I managed to get probation for him. He was a serious alcoholic who was basically the... the people who were the head of the ring just fed him just the right amounts of alcohol to keep him enslaved. He's very much a victim and he's certainly not the governing mind. And what really swung that was I managed to get the sergeant in charge of the investigation to give evidence on his behalf at sentencing and that was before the Madam Justice "H" and she said, "This is the first time I've ever seen this."

The participant was satisfied that he was able to prevent his client from going to jail, he was pleased with his ability to convince the investigating police officer to testify on his behalf, and the comment from the judge was perceived to be favourable.

Although participants described numerous incidents classified as Positive Performance, it was repeatedly indicated that doing one's job well was not sufficient in and of itself. It was reported that having one's work recognized by a supervisor or senior partner was also required to feel satisfied in one's job. In this regard, it was indicated that one's efforts and achievements need to be recognized by an external source, typically by someone in authority.

Client Appreciation

For male participants, the fourth factor most often cited as contributing to job satisfaction was the category Client Appreciation. However, it should be noted that these eight incidents were described by only three male participants. Only one female participant described an event involving Client Appreciation. Events placing in the category Client Appreciation described having one's work recognized and appreciated by one's client. Examples of Client Appreciation included a verbal thank-you, a thank-you card, or the client's emotional reaction to the closure of the case. An incident describing Client Appreciation many years after a case was closed was reported by Participant 009:

"It's satisfying when I was out making arrangements to get whatever the little machine is that allows you to get the Mike Tyson and Evander Holifield fight from the video store and someone is trying to explain to me how to hook this up and I wasn't getting it but the lady standing next to me is hearing me talking and she recognized my voice and she's a client named "T" that I represented a long time ago and she remembered me and I remembered her case. And again, it was a little unusual for my practice at least. It was a human rights kind of tribunal thing where she had been sexually harassed at work and then she was a very young woman basically out at her first job and somewhat disillusioned by the fact that she was the lowest woman on the totem pole and the son of the owner of the place was causing her a lot of difficulty and she wasn't getting any respect and dad had a pretty deaf ear and the son was a real misfit and behaved as such. So, we got the highest possible which wasn't very much and it wasn't really the money

because it wasn't a court action for damages. It was a penalty imposed by the Human Rights Tribunal. And so that was a good point and that was early on and it was reported in the newspaper and I saw her just the other day. You know, you don't always remember exactly what you did for someone or their name even sometimes when it's ten years ago but I remembered her and she remembered me and she is a very bubbly person and she was very happy to see me and was again, very complimentary and thankful. And this was sort of a funny thing. I haven't thought about her... I'm sure that I've thought about her sometimes in intervening period but not often but she had remembered and her boyfriend or something, and I gathered they had a long relationship from what I learned, was out in the car outside and she was pointing at me and waving as they were going... and no doubt she had told him the story of course because it was an important event to her, to this boyfriend. And there's the lawyer standing outside of Roger's Video Store. And it was embarrassing but it was also kind of nice."

An example of Client Appreciation more closely linked (temporally) to the legal services provided by Participant 010 was reported as follows:

"Very recently I got a thank you note, the other day as a matter of fact. It's nice getting a thank you note. It doesn't happen very often but it does happen. The client was trying to sell a car, signed a contract to sell the car. The guy was going to come up with the money by the end of the month and it got delayed and it got delayed and it got delayed months. The client still had the car and he still had up to three thousand dollars of the

guy's money. It was a cadillac, ten thousand dollars was what it was supposed to be sold for. So, I got involved and sent the demand letter saying either put up or you're going to lose your deposit and got the weirdest response which was, "Oh he's dead" and it got ironed out. The car was bought by the widow of the dead person and the actual signing of the last pieces of paper happened right here. And of course it was an intestate and you know, I'm thinking, "The kids are going to sue my client because he sold to the widow" and all those sorts of things that keep a lawyer awake at night. It worked out pretty well and I rendered my final account and give a few dollars back from the retainer and got a thank you note."

It is possible that having one's work appreciated by a client reinforces one's perceptions that the practice of law contributes to society in a positive manner, countering the negative stereotypes that lawyers are untrustworthy or opportunistic.

Altruism/Justice

For female participants, the fourth category of factors most frequently described was Altruism/Justice. Sixty-seven percent of female participants described incidents of Altruism/Justice. This factor was only described by three of nine male participants. This category includes incidents that described feeling satisfied about helping a client or contributing to the service of justice. An example of an altruistic incident was reported by Participant 009:

"Early on, I would not been practicing for very long, a year or two maybe, something like that. I had a criminal client who was involved in a very common offence, some kind of dispute on the road where people drive their cars foolishly and get mad with each other and so I took his case to trial. I was defending him and he was a really nice older man who had probably got mad and we did the crown's case and what I did I thought I did well so that was good. And I made an application to the judge to have the case dismissed and the application was that there was no evidence on an essential element of the case for the crown and the judge said that he didn't think that was so but he said words to the effect that suggested to me that if I made what the alternative motion would be, an insufficient evidence motion, which requires the judge to weigh the evidence and then make a decision right then and there and you as a defendant or as a defence counsel give up your right to present a defence in that case but if you're confident of your position, and I wasn't necessarily, but I thought the judge was giving me an indication that I should make that motion so I did and the man was acquitted and he was crying outside the courtroom afterwards and I thought that my little bit of education had helped him and I felt good about that."

Justice and altruism were often described together. Consequently, these two sub-categories were combined to make one general category. An example of an incident describing how justice was served and where the client benefitted from the lawyer's actions was reported by Participant 013:

"It's happening on a case that I convinced the adjuster, well she was run over. She was a pedestrian. She was run over at a crosswalk. But we're going to settle it. We're going to settle it for good money. She's actually a very nice lady. I did the Discovery and I met her and she's really nice and we did some checks on her and she's very genuine and that feels good."

In this example the lawyer was representing the insurance company (i.e. the defendants) but believed the plaintiff and therefore convinced her client (the insurance adjuster) to settle the case for a fair amount of money. Because Participant 013 believed the plaintiff was genuine, she felt good about reaching a settlement that was both fair (i.e. served justice) and benefitted the plaintiff (i.e. altruism).

However, serving justice was not always linked to a sense of altruism. In some cases, justice was served and no altruism is present. This was most evident in cases where there was a question of the honesty of the opposing party. Participant 013 provided such an example:

"That case in December, that guy was, without a doubt, he was... He had tons of WCB claims, he had tons of UIC claims, he's been busted for fraud a couple of times, collecting WCB and welfare at the same time and he just wanted to get as much out of ICBC that he could get. And he was using the system very effectively. He knew how to use it and I felt good to actually put a stop to it. Not only did we win the case and he

got nothing but he was ordered to pay out seven hundred dollars so I really enjoyed that.

That was very satisfying to me."

Other

Incidents falling into the category entitled Other were reported by 44 percent of male participants and 33 percent of female participants. Incidents that do not fit into any other category were placed in Other. Incidents that were placed into the Other category included unusual factors described to enhance job satisfaction and those factors which were only reported by one or two participants. An example of an unusual factor contributing to job satisfaction was provided by Participant 008 who described how being provided with his own computer contributed to his sense of job satisfaction because it allowed him to have greater control over the preparation of his reports. Participant 009 reported that the opportunity to travel occasionally as part of his job enhanced his sense of job satisfaction. A less unusual factor was the attainment of social status through one's profession. However, only two incidents were reported describing social status as an enhancing factor, insufficient to warrant an independent category.

Partner-Associate Relations

Incidents placing in the category Partner-Associate Relations were described by 83 percent of female participants and no male participants. This category included incidents describing a positive relationship with one's supervisor or other senior partners in one's law firm. Notably, all the female participants were associates, most of whom were relatively

"junior" within the law firm hierarchy. Consequently, female participants had less occupational autonomy than lawyers with more seniority and experience. Junior lawyers are often required to work in tandem with senior partners. It is probable that a positive working relationship with one's supervisor is of greater importance to the job satisfaction of junior associates than for partners and senior associates who have greater independence and autonomy. Examples of critical incidents classified in the category Partner-Associate Relations include those describing a positive working relationship with one's supervisor and/or other senior partners. Participant 011 reported that she appreciated the openness in her law office where she could ask for assistance from senior partners when working on an unfamiliar case:

"Being able to go for help. I think that is the one real strength in this firm and is maybe why I enjoy my job maybe more than some of my other colleagues in other firms. I think that this firm has more of an open door policy and I can always go to the partners for help and I get a lot of it which is really important when you're first practicing or practicing in a new area. For example, today this thing that I'm doing is quite new to me in this area and I've just never done this type of application before and I've been into the partner's office or buzzed him at least three or four times within about, I got this at two and it's now four twenty and I've met with you about five to four so that was in less than two hours. But any time a question comes up I just buzz."

Asking for help is one aspect of a working relationship. Working jointly on cases with a senior partner is common for junior associates. An example of a positive working relationship with a senior partner was reported by Participant 007:

"An arson case that I worked on, I did a lot of work on it. I was junioring it. That was a particularly satisfying case as well although I wasn't dealing with the negotiation end of things, it was really fascinating. It was really close to doing a criminal law case. I really enjoyed it. I really enjoyed the partner that I was working with and the work that I did I thought was very good and it contributed to the ultimate settlement which I thought was a very good deal again for our client and again it was very satisfying."

While this critical incident cited several factors contributing to job satisfaction, a positive working relationship with the senior partner was noted, and thus this incident was classified in the category Partner-Associate Relations. Because females may place greater importance on supervisory relationships in the workplace than males, it is not surprising that this factor was identified by female participants but not male participants.

Peer Relationship

More male (44%) than female (17%) participants reported incidents describing a positive Peer Relationship. For male participants, four incidents describing a Peer Relationship were reported while only one example of a positive Peer Relationship was described by a female participant. Examples describing a positive Peer Relationship included relationships with both

co-workers and opposing counsel. Typical incidents described an easygoing or problem free interaction with a peer as was the case for Participant 001:

"There was this family law file essentially and we were just exploring the prospect of settlement. The parties in this particular case did not like each other very much but the other lawyer was quite easygoing and I certainly was too and it's nice when you can avoid all the bullshit that you sometimes see from lawyers and just address something relatively directly and get a solution. Over the course of several phone calls and letters it was apparent that he wasn't trying to set me up in any way or manipulate me and I thought well, that's a nice switch so it was satisfying."

In an adversarial judicial system, cooperation is not the primary form of interpersonal interaction. However, despite a work environment that encourages competition and polarity, the number of incidents describing positive relationships with one's peers placed near the middle of category ranking, suggesting that this factor may be moderately important to male participants.

Intrinsic Qualities of Law

Forty-four percent of males and 50 percent of females reported incidents falling in the category entitled Intrinsic Qualities of Law. This category includes events that described legal work as challenging, innovative, or intellectually stimulating. Different aspects of legal work can serve this purpose. For Participant 012, being presented with the opportunity to lay out her working strategy at the beginning of a case contributed to job satisfaction:

"A really satisfying moment for me was when I got a new file in, had all the materials in front of me, a blank person, my dictaphone and just having time to sit and think about what needs to be done, and the most effective ways to meet this client's needs. So, that two hours of sitting there and strategizing and making lists of what needs to be done and who should be doing it, that's a really great moment. That was the moment when I feel most in control of the file because after that it became a realm of variables."

For Participant 010, case law research was described as enhancing job satisfaction:

"I did a very long trial relatively recently. A young offender charged with assault causing bodily harm and there's a whole bunch of case law about whether or not you can consent to a fistfight and with relatively recent Supreme Court of Canada decision saying that adult's consent doesn't matter. Just because you agreed to fight, we're not going to encourage people. In that case there was a caveat that said we're not necessarily saying that this applies to young people and there's a bunch of Court of Appeal decisions in various provinces, how the Courts of Appeal dealt with particular fact situations with people who are young offenders, whether or not they do allow for consent. I had a case which went to trial forever because of forced adjournments and that sort of thing where my client, who was young, shattered the jaw of someone who was a client, and said, "This was a consensual fight" and there was disputed evidence about all that. So there was a lot of research and it was interesting. It was a legal point that wasn't necessarily settled and as is usually the case, there was nothing exactly on point, exactly that same

fistfight. So, you're doing the research, you're gathering information about the evidence that may be available at trial. You're thinking of the questions you're going to ask your witnesses, you're thinking of the cross-examination that you're going to do to the crown's witnesses. So, the research is part of that process and that was satisfying and interesting."

In addition to research, other factors classified in the category Intrinsic Qualities of Law were identified. These included the challenge of working on a novel case, developing a strategy to use in court, and preparing to deal with the case presented by opposing counsel. These factors relate to the practice of law itself and suggest that feeling challenged, stimulated and interested in one's work contributed to a sense of job satisfaction, albeit to a lesser degree than anticipated.

Client Relationship

The category Client Relationship was reported four times by two male participants and only once by a female participant. Having a positive relationship with one's client was reported by several individuals to be important to job satisfaction. A positive outcome was sometimes more meaningful when the participant had developed a positive relationship with the client(s). Participant 007 emphasized how much more meaningful a "win" was because she liked her clients:

"Another trial that I did, one of my favourite trials. It was a dog bite case and this fellow had been golfing and he leapt over the fence to urinate in my client's backyard and my client's dog bit his leg, quite badly actually and his hand. And, so he was suing them for ten thousand dollars. Again this was a small claims, you get such funny claims. And, the law was actually against us and we shouldn't have won but the lawyer on the other side was not as up as he should have been on the law and he also didn't cross examine my clients very well and if he had he would have discovered that this dog had bit before. But to me, even though perhaps it wasn't even in accordance with the law, it was such a victory because these people were so wonderful and here this guy trespasses into somebody's yard and I felt a tremendous amount of satisfaction as a result of that."

It is probable that if this lawyer did not like her clients, she would not have experienced the same degree of satisfaction with the outcome of this case. In this instance, her relationship with her clients contributed to the degree of satisfaction she derived from winning the case.

The three categories of factors most frequently reported to enhance job satisfaction were the same for male and female participants; Success, Positive Feedback and Positive Performance. The genders differed in how frequently the remaining seven categories were reported. This suggests that there are three core elements that contribute to job satisfaction. These core elements could be described as necessary components for job satisfaction. However, these factors in and of themselves are not likely sufficient for job satisfaction. The remaining factors may differ between male and female participants in terms of their contribution to job satisfaction. The ranking of factors described to enhance job satisfaction is summarized as follows:

Table 4. Ranking of Factors Identified as Enhancing Job Satisfaction

TOTAL	MALES	FEMALES
1. Success	1. Success	1. Success
2. Positive Feedback	2. Positive Feedback	2. Positive Feedback
3. Positive Performance	3. Positive Performance	3. Positive Performance
4. Other	4. Client Appreciation	4. Altruism/Justice
5. Altruism/Justice 5. Client Appreciation	5. Other	5. Partner-Associate Relations
	6. Peer Relationship 6. Client Relationship 6. Intrinsic Qualities of Law	6. Other
7. Intrinsic Qualities of Law		7. Intrinsic Qualities of Law
8. Client Relationship		8. Client Relationship
9. Peer Relationship 9. Partner-Associate Relations	9. Altruism/Justice	9. Peer Relationship 9. Client Appreciation

Aside from Success, Positive Feedback and Positive Performance, there are gender differences in terms of the relative importance of the remaining factors. The ranking of categories suggests that Client Appreciation is more important to males (ranked fourth) than females (ranked ninth). Similarly, Altruism/Justice was ranked fifth by female participants and ninth by males. Partner-Associate Relations, while ranked fifth by females, was not reported at all by males. These differences, combined with the greater frequency of incidents classified as Success and Positive Feedback reported by males, suggest that male participants' level of job satisfaction may be derived from external sources to a greater extent than is the case for females. The remaining categories are more closely ranked and therefore it is more difficult to determine their relative significance in comparison to each other.

Factors Identified as Hindering Job Satisfaction

Participants generated 66 examples of factors perceived to hinder job satisfaction as a lawyer. The factors identified in these critical incidents were then classified into ten categories as follows:

Table 5. Summary of Factors Identified as Hindering Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
Negative Feedback a) Partner/Supervisor b) Peer c) Judge d) Client	19	80%
Partner-Associate Relations a) Partner Expectations b) Lack of Appreciation c) Lack of Control/Autonomy	26	73%
Professional Hazards a) Ethical Dilemmas b) Negative Impact of Justice System c) Bringing Misfortune to Others d) Distasteful Tasks	16	60%
Lack of Success a) Losing a Case b) Missed Promotion	15	53%
Client Relationship	13	40%
Peer Relationship a) Co-worker b) Opposing Counsel	9	33%
Poor Performance	6	33%
Other a) Factors not Classified Elsewhere	5	33%
Financial Concerns a) Outstanding Bill b) Billable Hours	6	20%
Intrinsic Qualities of Law a) Boring b) Lack of Challenge c) Lack of Creativity	2	13%

Table 6. Summary of Factors Identified by Males as Hindering Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
1. Lack of Success	13	78%
2. Partner-Associate Relations	9	67%
2. Negative Feedback	8	67%
4. Professional Hazards	8	55%
5. Client Relationship	10	44%
5. Other	4	44%
7. Peer Relationship	4	33%
7. Poor Performance	3	33%
9. Financial Concerns	5	22%
9. Intrinsic Qualities of Law	2	22%

Table 7. Summary of Factors Identified by Females as Hindering Job Satisfaction

FACTOR	NUMBER OF INCIDENTS	PARTICIPATION RATE
1. Negative Feedback	11	100%
2. Partner-Associate Relations	17	83%
3. Professional Hazards	8	67%
4. Peer Relationship	5	33%
4. Client Relationship	3	33%
4. Poor Performance	3	33%
7. Lack of Success	2	17%
7. Financial Concerns	1	17%
7. Other	1	17%
10. Intrinsic Qualities of Law	0	0%

Lack of Success

Males most often reported incidents describing Lack of Success as a hinderance to job satisfaction. While 78 percent of male participants reported incidents in this category, Lack of Success was only reported twice by one female participant. Incidents classified as Lack of Success include losing a case, not being promoted, and lack of success obtaining employment. Most incidents that described losing a case or application included other factors as indicated by Participant 007:

"In one situation it was to add somebody as a third party and their counsel on the other side argued very very ably (sic) his position and I felt that we should have won. He was more articulate and I know why we didn't win and again it was a situation where you get handed an application to go in and argue and in fact it's too late. You can't bring on an application with only two weeks before trial and you're just not going to succeed in adding parties and doing things like that so your efforts are really undermined."

Although the example used to highlight this category was provided by a female participant, this was the only example of an incident describing Lack of Success provided by female participants. This may be because job satisfaction for female participants is less affected by the outcome of a case than male participants.

Partner-Associate Relations

The category containing the most incidents reported by female participants is Partner-Associate Relations with 83 percent of female participants having reported incidents in this category. Incidents classified as Partner-Associate Relations included the expectations that partners place on associates with respect to case preparation, long hours, full-time employment, lack of appreciation, and lack of control or independence. Frequently, a critical incident classified as Partner-Association Relations described the participant's difficulty working with a particular person. For example, Participant 012 described the difficulties she faced working with a specific female partner due the inability of the partner to provide explicit instructions:

"I can remember a period of a week when the woman partner was working on a very complicated opinion. It was very complicated and she's notorious for giving poor instructions. So, for a week I was going around and around and around, and researching, and talking to people, and coming back to her for further instructions and I was getting nowhere. And everything I produced was wrong and it was stupid and she didn't understand what was going on. And I reached a point by the middle of the week when I just thought, "I'm stupid. I'm unhappy." I was crying in my office. "I have to quit". And someone intervened and pretty soon I had the whole group except for her saying this whole thing has gotten out of hand. "What's your problem? She's just stressed out. She doesn't mean it, quack, quack, quack." And lo and behold the next day she came in and whatever case had settled and she said, "I'm really sorry about this poor behaviour. It wasn't your fault." But that takes a lot out of you. It takes an awful

lot out of you to have that kind of pressure and stress. The client's needs need to be met right now and you're not meeting them and you're getting the wrong answer and I can't tell you where to look for the right answer."

While incidents describing Partner-Associate Relations were most frequently reported by female participants, this category was also reported by 67 percent of males. Given that the majority of participants (85%) were junior lawyers, it is not surprising that their low position in the law firm hierarchy and lack of occupational autonomy was perceived as a hinderance to job satisfaction.

Negative Feedback

All of the female participants identified Negative Feedback as a factor that hinders job satisfaction. This category was reported by only 67 percent of male participants. Having one's work criticized was perceived as unpleasant and typically, the participants did not believe that the criticism was deserved. An example of Negative Feedback from a senior partner was described by Participant 006:

"My second one (a performance review that led to demerits) which was the point where I was a year and a half in employment with the corporation. What that did was actually impeded my promotion so I didn't get moved up one level in the pay scale and so it had that deleterious effect which I really resented because I knew that I was actually doing a great deal that was enhancing the previously tarred reputation of the department and

that was getting polishing because we were getting rid of the baggage from before by producing higher quality service and I knew I was one of the key players in that and yet I was suffering for something I felt was inconsequential in the overall scheme of things."

Participant 013 described an incident where she received Negative Feedback from a peer, in this instance, opposing counsel.

"It happened about a year ago. I was at an Examination for Discovery. I told you that, where I ask the plaintiff questions. And her lawyer was a complete jerk to me. It was unbelievable. He told me on the record that it was the worst Discovery he's ever seen in seventeen years. He would never do that to an older male lawyer. And the things is that we won the case and it was a really good Discovery but he was just blustering for the benefit of his client. And that really upset me because I know that the only reason he would treat me like that was because I was young, being a little inexperienced. Again, he took advantage of me like that and I did not like that at all. It made me feel insecure and I remember when he was yelling at me in the room, really embarrassed and I could feel my face get really hot and I thought, "Oh gosh, I hope my face isn't red and he can see how upset he's making me." It was okay, we won the case after and now he's so sweet to me it makes me sick."

Another source of Negative Feedback was reported to originate from clients. The degree of impact Negative Feedback had on an individual was reported to be contingent on the amount

of support one received from his/her employer. In Participant 011's case, the negative impact of a client complaint was softened by the support of a partner in her law firm.

"When I was articling I got a complaint from my client and that was quite devastating but that was in a different firm and the partner was very supportive of me at that time as well. That cushioned it a lot and I think you need that because you're bound to get complaints when you're first starting because you don't know what you're doing. They teach you about the law but they don't teach you how to be a lawyer in law school."

Negative Feedback had a stronger inhibiting impact when the individual believed that a) it was undeserved or b) when the degree of negativity was greater than anticipated given the preceding event leading up to the feedback. If the level of feedback was congruent with the individual's expectations, it was easier for him/her to respect or disregard the comment and consequently, not take the feedback personally.

Professional Hazards

Sixty-seven percent of female participants and 55 percent of male participants reported incidents describing Professional Hazards, i.e. the unsavoury or unenjoyable aspects of practicing law that cannot be avoided. Incidents classified in this category included ethical issues, the negative aspects of the justice system, performing distasteful tasks, and bringing misfortune to others. A Professional Hazard is an aspect of practicing law that one feels

powerless to change or avoid. Participant 011 provided an example of a Professional Hazard describing the practice of circulating billable hours:

"Circulating our hours. We have billable targets. You probably heard that before and I don't know how many firms still do this but this firm does. All the lawyers in the firm get all the other lawyer's hours every month so it breeds competition and that's exactly what they're trying to do. You know that, they know that. I complained about it. I'm not the only one whose complained about it but nothing has been done about that. I was basically told that's the way it was when they were associates and we see their hours and not much. And I haven't raised it recently. I raised it when I first got here because I was shocked that this was happening. Maybe I should raise it again. I've had other little things like I'm trying to get this leave of absence which has now been approved for the fall and what have you so I've had other issues that are more important. You get a sense that you only have so much power and you can only raise so many things at a time. So I need to put it on the back burner for another six months."

Participant 012 provided another example of a Professional Hazard; defending a dishonest client:

"I had a situation last week where I was acting for clients who turned out to be less than honest and I was in a position where I couldn't withdraw from the case. It was too late in the day. I was in this really awful position again before the Labour Relations Board,

concerned about my reputation there. We have a very moderate, no union bashing kind of reputation around here. So, I was up in front of the Board with people I thought were complete assholes and I was having to defend their interests to the best of my ability and I was hating it, absolutely hating it. They were less than honest and I was really uncomfortable being put in a position by my client and indirectly by the department, it was sort of a client who came in through the back door, we had no idea they were like this and I just felt really compromised as a lawyer. I'm not very willing to go out on a limb and do the types of unethical things that some lawyers will do them or will cut a little closer to the edge. It's just not my style. It's not the department's style and I felt really uncomfortable with that."

Client Relationship

A negative Client Relationship was the second category of events described most frequently by almost half of the male participants. However, this category was much less frequently reported (three incidents) by (two) female participants. Incidents describing one's dislike or distrust of a client were classified in the category Client Relationship. Most examples of a negative Client Relationship made reference to the client's lack of honesty or credibility. An example of this was reported by Participant 001:

"One of the most unsavoury clients that I had to deal with directly was the developer. He was well known about that particular firm to be a pathological liar and so advocating a position on that particular file was kind of difficult because there was a lot of animosity

generated in terms of, probably a whole series of his lies and the way he was treating the person on the other side so I got a lot of that flak from the other client and eventually her lawyer and so that's annoying. Just having to deal with that client is quite annoying."

In all but one example of a negative Client Relationship, participants did not refuse to work for the client. However, as mentioned previously, most participants in this study were junior lawyers and therefore did not have the authority to turn down a case that was assigned to them nor could they elect to have someone else handle the file. Although it wasn't reported in the form of a critical incident, several participants commented that being assigned "dog files", i.e. having to deal with files that nobody else would take, was frustrating.

Peer Relationship

Thirty-three percent of both male and female participants identified incidents falling into the category Peer Relationship. This category included relationships with one's co-workers and opposing counsel. The most commonly cited examples referred to experiences dealing with opposing counsel. An incident describing a negative experience with opposing counsel was reported by Participant 013:

"I like to think of myself as being a very cooperative, reasonable, rational person and sometimes I'm up against other counsel that are very unreasonable, very uncooperative

and very slimy. I don't like it. There was one time where I went to court and he said he was going to do something and he did the opposite and he got the order and I didn't have any proof that he said or he did. And I felt that I was naive by taking him at his word. I should have had it in writing. So, I felt naive and that I was taken advantage of."

While fewer in number, incidents describing a negative relationship with a co-worker were also reported. One female participant described numerous examples of sexual harassment from male co-workers. The following is one of several incidents reported by Participant 005:

"I had a much harder time with a younger lawyer who's behaviour I considered really inappropriate. First of all, I knew he was attracted to me which made the situation difficult to begin with. So, put in that context, little sexual innuendos, sexual jokes, comments on how I look all the time, that kind of stuff. It became very, very difficult to the point where after having addressed it both through humour, screaming stints, slamming my door at him, nothing worked. I finally wrote a memo. A three page memo where I re-stated everything I could remember everything had happened, some of which I had written down before as it was happening and essentially said, "This is my last attempt at dealing with this amicably and between us. If it doesn't stop, I'll take it elsewhere." And it stopped."

In a small sample, the numerous examples of negative Peer Relationships provided by Participant 005 skewed the results. Taking this into consideration, this category may not be ranked as high in a larger sample.

Poor Performance

Poor Performance was also reported by 33 percent of male and female participants. Because one's Poor Performance usually resulted in the loss of a case, an incident describing poor performance was usually classified in conjunction with the category Lack of Success. More central to the category Poor Performance was the participant's perception that his/her performance was less than optimal. As is evident in Participant 004's example of Poor Performance, winning or losing a case was less important than the quality of his performance:

"For example, there was a case that I just recently won in the Court of Appeal but I remember going back to when I initially brought the application in Chambers. They use a quasi judicial officer, they get a master who is like the same as a registrar that I spoke about earlier and I remember losing the... and the master at that time, or anyone has the discretion as to whether they'll tell you right then whether you win or lose and tell you why or else they can do what's called "reserve" their decision and write something and tell you later. This master right then at the end of the application gave his reasons and he dismissed my application and gave his reasoning which is supposed to be the logic behind his decision and I remember I was just really upset. I thought that really should have been a winner, then I started thinking... as I was walking back to the office I

remember thinking "Yeah, well what the master said I guess somehow made sense and I can imagine that it was sort of reasonable that he did what he did," and I guess I was kind of rationalizing to myself the fact that I didn't really blow it but what they did made sense and within about I'd say a couple of hours though, I had much more persuasively or more comprehensively gone through that argument and realized to myself, "No, he didn't make a mistake. That isn't logical what he did." And then, talked to the client and said, "I think we should appeal and here's why" and he said, "Just do whatever you think you should do" and we went forward. But, yeah it's interesting that you can't dwell on the negatives and neither can you dwell on the positive. I felt to some extent disappointed in myself because you should be prepared for anything that will happen - the other side's arguments. You should be prepared to meet just almost any argument and, you've got to persuade yourself that you can beat any argument. And, to have gone in there without any way to beat this argument, like I just thought that I'd let down the client and I'd let down myself. I just didn't, hadn't done a good job. Sometimes that happens too if you're not prepared properly. I find that preparedness the biggest factor in determining whether you're going to be successful or not. Sorry, the biggest factor in determining how I feel after an application. Because if I'm totally prepared, totally confident, lose anyway but feel that I've given it the best I could doesn't make me feel bad. If I go in there and I'm not totally prepared, and feel that I've lost because I wasn't totally prepared, that's the worst because I'm disappointed totally in myself."

This incident indicated that for Participant 004, how he perceived his performance on-the-job was not solely dependent on the outcome of a case or application. Rather, how prepared he is for a case and the quality of his work were more salient to his feelings of job satisfaction.

Financial Concerns

Incidents in the category entitled Financial Concerns were reported by two male participants and one female participant for a total of six incidents. The category Financial Concerns was used to classify incidents describing frustration regarding unpaid legal bills and concerns about billable hours. Several examples of Financial Concerns were expressed by Participant 004 including:

"One of the lawyers here had a case where he was representing a fellow on some criminal charges and he successfully got the guy off whatever it was he was charged with and the kid, the guy had absolutely no money to pay for a lawyer and didn't want legal aid, wanted a real lawyer and so his mother or grandmother, I can't remember which, it was an elderly woman, put a mortgage on her house, gave the law firm a mortgage on the house to secure the fees. So, the case is over, the fees were twelve or fifteen thousand dollars and the guy doesn't pay, doesn't pay, doesn't pay, doesn't pay. The lawyer sends all kinds of threatening letters to this guy. You know, "We really want you to pay. We don't want to have to take steps to sell your house", you know, on and on. Everything is ignored right to the mother, "Look, we've got this mortgage against your house. We've got the right to sell it. We don't want to do that. Please stand by your

obligations." And nothing happens. So, finally we had no alternative but to make an application to sell this house and the next thing that happens is it's on the news about the scummy lawyer who's trying to throw this old woman out of her house and this Gold Hawk who stands up for the rights of the downtrodden on Channel 11 or whatever it is. Gold Hawk has the whole damn thing on his show to make it look like the lawyers are scummy. So, because of this Gold Hawk thing and the publicity, we totally backed off, said that we'd make a deal and stuff. We totally backed off and they still haven't paid the bill and this was like two years ago. So, it's not fun."

Only one incident describing Financial Concerns was reported by female participants. However, Participant 004 reported four incidents classified in this category that, in this small sample, may not be an accurate representation of male lawyers.

Intrinsic Qualities of Law

Two incidents describing Intrinsic Qualities of Law were reported by male participants. Intrinsic Qualities of Law included incidents describing feeling bored, unstimulated or unchallenged as a lawyer. Just as legal work can be intellectually stimulating, creative and challenging, it was also reported to be mundane, boring, and frustrating. Participant 006 provided an example of feeling unstimulated by a case expected to be intellectually demanding.

"I can think of a specific instance where I sat and looked at a claimant whose injuries were notionally more severe and because of the way the system is structured, they were

entitled to greater recovery and to be more specific, the evidence supported a finding of fibromyalgia as the diagnosis and therefore there's greater recovery in terms of damages both on the side of pain and suffering and well as in terms of economic loss and it was a sexy issue in that for some time it was the flavour of the day as far as disorders go and for attracting big dollars and attacking that file didn't have great demands beyond those which were of lesser dollar value and I found that was one that I could look at from the perspective that maybe it wasn't so exemplary of how complex litigation in general would be and then I dealt with a head injury case with someone which was a tragic case to deal with but in that case it became very much an arithmetic exercise. Looked at trying to pick apart the medical evidence the same way you would with one of lesser dollars or less severity in terms of the injury itself, you just spent more time. It was just a question of quantity as opposed to real creativity and real... The skill set is the same."

No incidents from the category Intrinsic Qualities of Law were reported by female participants.

Male and female participants reported incidents describing different factors perceived to hinder job satisfaction. For males, the three categories of events reported most frequently were Lack of Success, Client Relationship and Partner-Associate Relations. Females most often reported incidents describing Partner-Associate Relations, Negative Feedback and Professional Hazards. Whereas the categories Success and Positive Work Performance were most frequently reported to contribute to job satisfaction for both genders, Lack of Success was reported by 78

percent males but only 17 percent of female participants. These differences may reflect the divergent experiences of male and female participants in their work environment. Male participants' dissatisfaction appears to be linked to lack of achievement, dealing with negative feedback, and working collaboratively with senior partners. Eighty-three percent of female participants reported events describing Partner-Associate Relations seventeen times compared to nine incidents reported by 67 percent of male participants. This discrepancy between genders could reflect a number of variables including how females are treated in a traditionally male dominated profession, female expectations of employers/supervisors, different communication styles used by males and females, or varied perceptions of the same event. In this regard, females may be less comfortable with the "pay your dues" attitude that prevails in many male dominated occupations. Women may prefer to work collaboratively whereas males are more accustomed to the authoritarian nature of workplace hierarchies.

The ranking of factors described to hinder job satisfaction is contained in Table 8 on the following page:

Table 8. Ranking of Factors Identified as Hindering Job Satisfaction

TOTAL	MALES	FEMALES
1. Partner-Associate Relations	1. Lack of Success	1. Partner-Associate Relations
2. Negative Feedback	2. Client Relationship	2. Negative Feedback
3. Professional Hazards	3. Partner-Associate Relations	3. Professional Hazards
4. Lack of Success	4. Professional Hazards 4. Negative Feedback	4 Peer Relationship
5. Client Relationship		5. Client Relationship 5. Poor Work Performance
6. Peer Relationship	6. Financial Concerns	
7. Poor Performance 7. Financial Concerns	7. Peer Relationship 7. Other	7 Lack of Success
		8. Financial Concerns 8. Intrinsic Qualities of Law 8. Other
9. Other	9. Poor Performance	
10. Intrinsic Qualities of Law	10. Intrinsic Qualities of Law	

The ranking of these categories suggests that two categories (Partner-Associate Relations and Professional Hazards) were highly reported by both genders. Similarly, two categories (Intrinsic Qualities of Law and Financial Concerns) were reported the by few participants of both genders. There is divergence between the genders for other categories suggesting that different factors may be perceived as important by male and female participants.

Definitions of Job Satisfaction

Definitions of job satisfaction were not phrased in the form of a critical incident. Rather, participants were asked to provide their definition of job satisfaction. Although individuals varied in the precise definition provided, several common themes were reported:

1. Work enthusiasm
2. Work enjoyment
3. Positive contribution to individuals or society
4. Sense of accomplishment
5. Positive interpersonal relationships

Work Enthusiasm

Most definitions of job satisfaction included two or more of these themes and some definitions contained most of them. Most commonly, participants described job satisfaction as wanting to go to work in the morning, voiced by seven participants. An example of this aspect of job satisfaction was reported by Participant 013:

"Job satisfaction is if you get up every day, look forward to the day ahead, to the work that you have to do, to get through your work and to know you're doing a good job, to really benefit somebody, to know your case. To me that's real job satisfaction to enjoy your day and to know that you're doing a good job and making a difference."

In this definition, not only is enthusiasm about going to work indicated but also enjoying one's work, making a positive contribution to others, and feeling a sense of accomplishment. Most definitions were similar to this, multi-faceted in nature.

Work Enjoyment

Although enjoying one's work may be implicit in a definition of job satisfaction, four clients explicitly reported that enjoying their job is important to feeling satisfied. An example of this theme was evident in the definition provided by Participant 011:

"I guess it means I'm happy, not too stressed out. I expect a little bit of stress in this job so I wouldn't expect not to be under some sort of stress but I guess... My number one thing I guess would be that I enjoy the actual work and I enjoy the people with whom I'm working. But then, the stress levels are a big part of whether you enjoy work because if you're too stressed out, it's hard to enjoy it."

Positive Contribution to Individuals or Society

Altruism or making a positive contribution to others was reported by three participants including Participant 003:

"Having a sense of enjoyment and excitement about what I do. A feeling that I am making a positive contribution towards society. A feeling that what I do is valued by and respected by other people."

It is not surprising that benefitting others or society was not more frequently mentioned by participants given the adversarial nature of the justice system and the hierarchical structure of law firms. The only interest theme reported for lawyers on the Occupational Scales of the Strong Interest Inventory (Campbell & Hansen, 1981) is the artistic theme. This suggests that social interests are is not likely strong motivators for lawyers.

Sense of Accomplishment

A sense of accomplishment was frequently reported, noted in six definitions. This is congruent with the high number of incidents classified in the categories Success and Positive Performance. This theme was articulated in Participant 002's definition of job satisfaction:

"Arriving home in a good mood. At the end of the day feeling like you've accomplished something and you're happy about that."

Positive Interpersonal Relationships

Positive working relationships with one's co-workers was also a common theme in the definitions of job satisfaction provided by four participants. Positive interpersonal relationships included the enjoyment of working with one's peers or feeling supported in one's workplace. The latter was indicated by Participant 012:

"Wanting to come to work everyday. Having interesting, challenging work. On the go all the time. And having a lot of support."

Of note, three of the four participants who included positive working relationships in their definition of job satisfaction were women, possibly reflecting that interpersonal interactions and support in the workplace may be more important to females than males.

Job Satisfaction Ratings

Participants were also asked to rate their job satisfaction using a scale of one to ten where ten is very good and one is very poor. A breakdown of ratings indicated that the majority of participants reported moderate job satisfaction or higher. Two participants indicated a very good rating of job satisfaction, four participants reported good satisfaction, and six participants reported moderately good satisfaction. Two participants' ratings fell in the fair range while one individual reported a poor rating of job satisfaction.

Very Good Job Satisfaction

A score of nine or higher represents a very good level of satisfaction. Participant 004 reported very good job satisfaction:

"Out of ten, I would say a minimum of nine and a half. That means that I can't think of any career I would like more."

Good Job Satisfaction

A score of eight is indicative of a good level of job satisfaction as reported by Participant 008:

"Using a scale of one to ten, ten being good and one being bad, I'd have to say it's probably an eight."

Moderate Job Satisfaction

Moderately good job satisfaction was reported most often with six participants indicating job satisfaction as a seven out of ten. Participant 005 expressed her level of job satisfaction as follows:

"I would say, seven out of ten. Moderate to high I would say. I feel like I have a lot of control over what happens to me professionally and that's why if I didn't feel that it was up to me to decide what my job was going to be like or if I was going to keep this job or go elsewhere or do something else, I think my job satisfaction would plummet down."

Fair Job Satisfaction

A rating of fair satisfaction (5-6) was reported by two participants. Qualitatively, Participant 012 stated:

"...This is an okay job and this an okay firm and it's a good department. Basically my difficulties with my job are my own difficulties..."

It is interesting to note that despite Participant 012's indication that her job is "okay", she advised that she requires more job satisfaction in order to continue working in this profession. In this regard, she further stated:

"...It's not their difficulties. I really do accept that. In some ways that's a cop out because I have no interest anymore in changing the profession or making it different for other people. I just want to leave."

Limited Job Satisfaction

Limited job satisfaction (four or less) was considered to be unacceptable to one participant who had given serious consideration to leaving the profession. Participant 001 reported:

"Based on my experience so far, barely satisfactory which is desribely (sic) satisfactory and I think that I've done it long enough to come to the realization that I will probably be moving on to something else."

Overall, eighty percent of participants reported at least moderate job satisfaction. It remains unclear whether moderate job satisfaction is sufficient for a continued career in law. Of the three individuals who reported fair satisfaction or less, two indicated that they were actively planning to make a career change. The third participant, who was in his forties, indicated that if he were to choose a career again, he would not pursue a career in law. Of

those participants who reported moderate satisfaction, one individual had moved into an administrative position and did not plan to return to employment as a barrister. In summary, of fifteen participants, four individuals advised that they would be happier in another career, with three individuals who planned to make a career change. This represents 27 percent of this sample. While the ratings of job satisfaction among practicing lawyers were similar to results reported for school psychologists (Levinson, 1989) and school teachers (Black-Branch, 1996), it is uncertain whether the same proportion of school psychologists and teachers indicated an intention to change careers due to limited job satisfaction. This raises the question, "Is moderate satisfaction sufficient for long-term employment in professional (Human Resources Development Canada, 1993) occupations?"

Importance of Job Satisfaction

Participants were asked to describe the importance of job satisfaction. Twelve participants indicated that job satisfaction was important, stating that this was so because work occupied the majority of their day. In this regard, Participant 011 commented:

"It's very important. I spend most of my life working so...it's extremely important."

A number of participants mentioned that they were financially well compensated for their work. However, those who did mention money stated emphatically that financial rewards alone could not compensate for lack of job satisfaction. This was indicated by Participant 008:

"Extremely (important). It's the only thing that's important. The money is nice but it's not what motivates me. I could making more money and if I was dissatisfied, I'm sure that I wouldn't stay. I couldn't stay."

Two participants stated that job satisfaction was not important to them. Both individuals reported a negative relationship between the duration of their work experience and job satisfaction. Job satisfaction was reported to no longer be the deciding factor with respect to staying in the profession or making a career change. Participant 002, who had been practicing law for twelve years, stated:

"Not as important as it used to be. There are mouths to feed and rent to pay, mortgage to pay. There are more important things than job satisfaction, at least on a superficial basis there are. How important is it? It's relatively important but it's not the most important. Before, depending on your life stage, it's a lot easier to change your job, to change situations, and not be willing to accept seven out of ten some time ago and now seven out of ten would be perfectly great for me. It's for a variety of reasons. What youth brings and very few commitments bring are the ability to change or do things differently. You have more options the earlier one is in one's career and you get narrowed in your options because you develop skills in certain areas and you develop your client base and you become invested in what it is you're doing so it's not specifically only because of your personal situation but you become invested in your business and to change that you have to experience a relatively low level of job

satisfaction and certainly at seven out of ten is nowhere close to considering to be at the level for me. I'd have to be significantly below five out of ten to experience that little of job satisfaction. The longer I get invested in anything, the longer I'm more apt to stay in it or am prepared to put up with a lot before I'm prepared to leave it."

Summary

The foregoing results were obtained as a result of interviewing 15 practicing lawyers. The interviews were audiotaped and the information that qualified as critical incidents was transcribed. The primary criteria for inclusion of data was that the information provided described an actual event or specific incident. That is, factual reports of events (Woolsey, 1986) were transcribed and analyzed.

Regarding the interpretation of data, reliability was achieved through the use of an independent judge to sort incidents into categories at a correct classification of 76 percent for enhancing factors and 83 percent for hindering factors. This met the criteria of 75-85 percent reliability set out by Anderson and Nilsson (1964). Reliability was further enhanced through the checking of categorizations with participants during a second interview.

CHAPTER FIVE - DISCUSSION

Literature Review

Participants described several factors perceived to enhance job satisfaction that are similar to those reported by Locke (1976) in his micro-analysis of job satisfaction. Locke reported that workers experience job satisfaction when the work a) is related to their work values, b) is mentally challenging and interesting, c) has attainable goals, d) has fair rewards, e) is not too fatiguing, f) has a pleasant environment conducive to the attainment of work goals, and g) has people who support the workers in attaining higher wages, promotions, self-esteem.

Locke's factors are more general and all encompassing than the categories reported by participating lawyers. Categories such as Success, Altruism/Justice, Intrinsic Qualities of Law, Peer Relationships, etc. could be included in Locke's indication that work must be related to one's work values. However, the application of a general category such as "work values" does not indicate which work values are most important to job satisfaction. How is it known whether a career in law would be a good fit with one's work values if the specific work values held by lawyers are unknown?

Incidents classified in the category Success are compatible with Locke's indication that work must have attainable goals. While career success may be an attainable goal, it can also be construed as a work value. The degree of importance career success has for an individual is indicative of whether this factor has significant meaning. Being successful may be attainable

but is can also be a strongly held work value, thus reflecting one of the limitations of Locke's general factors. Participating lawyers reported incidents describing success in one's job as enhancing job satisfaction more frequently than any other factor. This suggests that success is not only an attainable goal but also a significant work value.

Incidents describing positive Client Relationships and Peer Relationships fit with Locke's indication that a positive work environment is necessary for job satisfaction. The category Partner-Associate Relations is similar to Locke's factor describing supportive people. In comparing Locke's categories to results obtained in this study, the need for ranking the relative importance of each factor in terms of its contribution to job satisfaction becomes apparent. Locke's categories are general and therefore do not take into account the variance between different occupational groups in terms of the importance and significance of these factors. Whereas the category Success is most frequently reported by participants in terms of its contribution to job satisfaction, other professions such as counselling or teaching may not place the same degree of importance on this factor. For example is his identification of factors perceived to be most important to the job satisfaction of teachers, Black-Branch (1996) reported that the strongest correlations existed between job satisfaction and the teacher federation/unions, remuneration, and teaching responsibilities. These factors differ significantly from those reported by participants in this study, reflecting that different factors likely have a varying degree of importance for different occupational groups.

In a study of job satisfaction among school psychologists, Huebner (1993) reported that participation in direct intervention activities with individuals and families is related to increased job satisfaction. This suggests that using one's skills and knowledge to benefit others is important to the job satisfaction of school psychologists. This finding is similar to incidents reported by participants that described using their legal expertise to help others or serve justice. However, this category was ranked ninth by males and fourth by females suggesting that the altruistic and social implications of one's work may not be as important to the job satisfaction of lawyers as for school psychologists.

In addition to the categories Success, Positive Feedback, and Positive Performance, female participants reported more incidents describing positive Peer Relationships and Partner-Associate Relations than did males. This suggests that affiliative needs may be stronger for females than males, particularly in the male dominated profession of law. Although, female participants are not compared to other women, the focus on interpersonal relationships with peers and partners may not reflect Coplin and Williams' (1978) findings that female law students perceive themselves as more autonomous and confident than other undergraduate females. Coplin and Williams indicated that the female law students' lower need for succorance may be an important adaptive characteristic because of the lack of support and encouragement from society and the legal field itself for female achievement in this male dominated profession. While female law students may be more independent than other female university students (Coplin and Williams, 1978), female lawyers frequently reported a need for support from one's employer and positive working relationships. Given the differing comparative norms (female

undergraduate students versus male lawyers), these findings are not comparable. However, it is possible that increased affiliative needs are based on the reality of one's work environment rather than the ideals of law students who have no work experience in this field. A stronger affiliative need was reported by female participants than male participants. This may reflect gender differences with respect to affiliative needs or the fact that female lawyers do not have access to the support and interpersonal connections available to males through the "old boys network" reported (by female participants) to exist in many law firms.

Male and female lawyers described incidents perceived to enhance job satisfaction that are similar to many of the categories found in the Minnesota Satisfaction Questionnaire used by Levinson (1989) in his study of job satisfaction among school psychologists. Factors such as Achievement and Advancement are similar to incidents classified in the category Success. Recognition on the MSQ is similar to incidents classified as Positive Feedback and Client Appreciation. The category Ability Utilization is similar to Positive Performance and the category Co-Workers is similar to Peer Relationships. The categories Supervision, Working Conditions, and Company Policies and Practices fit with incidents classified in the category Partner-Associate Relations. Authority, Creativity, Independence, Responsibility, and Variety are included in incidents classified as Intrinsic Qualities of Law. Similar to Altruism/Justice are the categories Social Service and Moral Values. Social Status was reported by only two lawyers and therefore was not assigned an independent category as is the case on the MSQ. None of the participants reported incidents relating to Compensation other than one individual who advised that a lack of compensation for overtime work had a negative effect on job satisfaction. No

incidents that could be classified under the category Security were reported. The categories of factors identified as enhancing job satisfaction in this study are more general than those developed as part of the Minnesota Satisfaction Questionnaire used by Levinson (1989). It is probable that fewer categories are the result of a small sample. A larger sample of participants would likely generate a greater number of specific categories, although it remains uncertain what degree of specificity is most useful in a descriptive study.

The Minnesota Satisfaction Questionnaire only includes factors that contribute to job satisfaction, suggesting that job satisfaction is dependent only on the presence of positive factors. This is in contradiction to information provided by practicing lawyers who indicated that not only is the presence of positive factors important but also the absence of negative factors. Events describing negative Partner-Associate Relations, Negative Feedback, negative Peer Relationships, negative Client Relationships, Poor Performance, Lack of Success, Financial Concerns, and the Intrinsic Qualities of Law were reported to hinder job satisfaction. It is not simply the absence of Positive Feedback, positive Partner-Associate Relations, positive Peer Relationships, Client Appreciation or the Intrinsic Qualities of Law that inhibit job satisfaction. Rather, the presence of negative factors rather than the lack of positive factors was reported to inhibit job satisfaction. The Minnesota Satisfaction Questionnaire only explores those factors that contribute to job satisfaction while inhibiting factors may impact on job satisfaction to the same or a greater degree.

That three major categories (Success, Positive Feedback, Positive Performance) identified in this study indicate that the participants are achievement oriented individuals who likely focus on career achievement to a greater degree than individuals pursuing other careers. Social workers employed in the public sector report greater job satisfaction in the areas of job security and personal autonomy with no statistically significant relationship between satisfaction with clients and job satisfaction (Newsome and Pillari, 1992). Differences in the factors contributing to the job satisfaction for social workers (Newsome and Pillari, 1992) and lawyers may reflect differences in achievement orientation, economic expectations, level of professionalism, and employers, i.e. public versus private sectors.

In contrast to Meir's (1988) indication that there is a need for congruence between one's vocational interests and one's job to enhance the probability of satisfaction, interest in one's work (classified in the category Intrinsic Qualities of Law) was not mentioned by many participants. The limited number of incidents describing occupational interests suggests that participants' occupational interests may make only a small contribution to job satisfaction. However, participants reported difficulty providing specific examples of incidents that described global factors such as occupational interests. Therefore, it is possible that some global factors such as occupational interests may have been under represented due to methodological limitations. Alternately, an interest in one's career may have been perceived as implicit to choosing a career and therefore taken for granted by participants.

Gender Differences

The factors identified as enhancing and hindering job satisfaction for practicing lawyers reflect gender differences between male and female participants, particularly for factors described as hindrances. Male participants may be more externally focused or achievement oriented than females, reporting incidents relating to Lack of Success 13 times compared to twice for females. Female participants reported 17 incidents of negative Partner-Associate Relations in comparison to nine incidents by male participants. Although the category Partner-Associate Relations is ranked third among those factors identified by male participants, this factor may not hinder job satisfaction in males to the same degree as is the case for female participants. This suggests that supervision, company policies, and employer support may be more important to female participants as professional women employed in non-traditional positions tend to leave the work force after marriage (Philliber and Hiller, 1983) or face role strain balancing the demands of career and family (Stoltz-Loike, 1992). Whereas the balance of personal and professional demands is less conflicting for males, a woman's marital status impacts on career advancement (Houseknecht and Vaughan, 1987). Separated and divorced women expect greater career satisfaction due to their ability to assign greater priority to career development (Read et al, 1988).

Male participants reported more than three times the number of incidents referring to negative Client Relationships than did females, placing Client Relationships as the second most frequently identified factor by males. It is possible that outside of the hierarchical partner-

associate relationship, women may perceive the stressors associated with client interactions as a challenge (Long, 1988) rather than a hinderance due to better developed interpersonal skills.

Fewer gender differences are apparent in the factors identified to enhance job satisfaction. Although incidents describing Success and Positive Feedback were reported by similar proportions of male and female participants, male participants provided more examples of Success and Positive Feedback than did females. This may be partially explained by the ratio (3:2) of male participants to female participants. Client Appreciation was identified more frequently by male participants than female participants suggesting that this factor may be more significant for males than females. Altruism/Justice was reported twice as often by twice the proportion of females, indicating that helping clients in a meaningful way may be more significant to the job satisfaction of female than male participants.

Similar to the gender differences found in occupational interests (Campbell & Hansen, 1981), factors contributing to the enhancement and hinderance of job satisfaction may have varying degrees of significance for male and female participants. This suggests that males and females may derive job satisfaction from different aspects of practicing law or may reflect the divergent work experiences of male and female participants. Male and female participants may be drawn to this profession for different reasons. Anecdotally, female lawyers reported that their experience in this male dominated profession is different than males. Female participants reported that they do not fit with the networking/mentoring system of playing golf, socializing with the partners, etc., perceiving that their promotion within the law firm is based on merit

alone. It was also reported by females that they are more sensitive to criticism from supervising partners than their male counterparts, indicating an assumption that males are less impacted by negative feedback or criticism regarding their work. This perception was not substantiated by male participants, 67 percent of whom reported eight examples of negative feedback compared to eleven incidents reported by female participants.

Limitations

Given the level of responsibility associated with practicing law, the long work hours and job stress, and the academic demands required of law school, it is surprising that incidents classified as Intrinsic Qualities of Law (i.e. challenge, intellectual stimulation, creativeness) were not reported more frequently. Overall, only seven examples of this factor were cited as enhancing job satisfaction and only two incidents were reported to hinder job satisfaction. However, many clients reported more generally in their definitions of job satisfaction that feeling challenged, stimulated, and working creatively was important to them. It is possible that providing concrete examples of this global factor may have been more difficult than examples relating to one's success or interpersonal relationships. Bearing this in mind, it is probable that some of the more globally qualitative aspects of job satisfaction were not identified in this study due to limitations imposed by the critical incident methodology.

Because the critical incident methodology uses interviews to collect information from people about their direct observations of their own or others' behaviour (Woolsey, 1986), global factors contributing to job satisfaction were sometimes overlooked as participants were often

unable to recall specific incidents describing the intrinsic qualities of legal work such as the intellectual stimulation, use of creativity, meaningful work, and mental challenges. Similarly, the nature of one's work environment (dynamic, creative, fun, supportive, etc.) was difficult present in the context of a specific incident.

Some participants were able to easily work within the parameters of the critical incident methodology and reported numerous critical incidents to highlight those factors perceived to enhance and hinder job satisfaction. Other participants reported a high degree of difficulty providing a specific incident illustrating a factor perceived to be important to one's job satisfaction. For these participants, much of the information they reported could not be used because they were unable to provide it in the form of a specific incident. At the extreme end of the continuum, one participant was only able to describe one critical incident, stating that he could not recall any specific examples of experiences relating to those factors which he perceived to be important to job satisfaction. However, it should be noted that this participant appeared to be operating according to his own agenda with little apparent concern for the employed research methodology.

Because a small sample was used ($N=15$) that tended to over represent junior lawyers and females within the law profession in British Columbia, the findings of this study are not generalizable to the larger population of lawyers in this province. However, the intention of this study was to explore and describe factors reported to enhance and hinder job satisfaction. While the findings of this study are not generalizable due to a small sample size that is not an accurate

representation of its population, the themes elicited from the findings of this study may serve as a baseline for further qualitative and quantitative research on this topic. However, it is possible that a larger sample that includes senior partners, older associates, criminal lawyers, corporate lawyers, and public sector employees may yield different findings.

Implications for Counselling

A number of issues identified by participants in this study can be addressed within a counselling setting. First, within the context of counselling college and university students, participants identified issues with the profession of law that, had they known about them as undergraduate students, may have affected their career choice of law. Specifically, participants indicated that prior to articling with a law firm, they were misinformed or uninformed about the amount of time they would spend in court, the amount of paperwork involved, the long working hours and employer expectations, the adversarial nature of peers, the "old boys' network", and the clerical nature of junior legal work. Career counselling that includes this occupational information, labour market research, informational interviewing, job shadowing, in combination with an increased knowledge of one's skills, experience, education, interests, values, personal style, and significant others, (Amundson and Poehnell, 1995) would assist prospective students to determine, before they enter law school, whether they would be suited to employment in this profession. Law students with an ISTJ typology, as measured by the Myers-Briggs Type Indicator, had a drop out rate of only 6.7 percent while ESFJ types had a drop out rate of 28.1 percent, four times that of ISTJ's (Miller, 1967). Counselling that facilitates a well informed career decision based on a greater understanding of oneself combined with increased knowledge

regarding the law profession would be preventative rather than remedial or crisis based. Factors limiting such proactive career counselling intervention include a stigma attached to "therapy" (Gutierrez, 1985) and limited funding and personnel in many higher education counselling settings.

Many participants reported that even if they were unhappy with a career in law, they did not see how their existing skills and knowledge could be transferred into a different career. The perception of these individuals that they are not qualified or competent to pursue employment in another profession has prohibited them from leaving law. Such individuals may benefit from working within a career counselling context to identify their transferable skills and knowledge and to research how such abilities are applicable in a variety of occupations outside of the practice of law.

Given the stressful nature of employer expectations, long hours, case preparation, filing applications, and representing clients in court, counselling offered as part of an employee assistance programme would be both preventative and remedial by assisting lawyers to cope more effectively with the demands and stress of their profession. Participants reported difficulties coping with a variety of issues prevalent in their profession that could be addressed in workshops or individual counselling. These include stress management, self-confidence issues, anxiety, time management, sexual harassment, communication skills, and balancing personal and professional demands. Marketing employee assistance programmes as proactive professional development is required to minimize the stigma attached to seeking personal,

professional or career counselling. This may be achieved through workshop presentations and marketing employee assistance programmes in terms of professional development rather than "counselling" per se.

Summary and Implications for Further Research

The findings of this study indicate that a broad range of factors contribute to the enhancement and hinderance of job satisfaction among fifteen lawyers. Peer relationships, client relationships, external feedback, one's performance on-the-job, success, financial concerns, partner-associate relations, altruism/justice, and the intrinsic qualities of law were most commonly identified by participants as factors that impact on job satisfaction. Participants most frequently reported examples of success, positive feedback and positive performance as enhancing job satisfaction. With a greater degree of variability between genders, partner-associate relations, negative feedback, lack of success, and negative client relationships were most frequently identified as factors hindering job satisfaction. The themes and patterns arising from information provided by research participants suggests that this sample of practicing lawyers tend to be achievement oriented and dependant on external sources of recognition to enhance their sense of job satisfaction. It is often those same external sources that were reported to hinder job satisfaction.

The small sample used in this study, the relatively young age and limited experience in the law profession, the gender balance, and the difficulty encountered by some participants in using the critical incident methodology suggests that further research is necessary to validate or

refute the findings of this study. Using a larger sample size that includes a wider range of ages, positions, experience, and authority is required. Given the exploratory and descriptive nature of this study, the intent was not to provide a theoretical definition of job satisfaction that is value laden and biased. However, findings from this and other descriptive studies may be beneficial in bringing increased clarity to the definition of job satisfaction for lawyers and those factors that enhance and hinder job satisfaction so that a career in law will be more fulfilling for those individuals who make this career choice. As is evident in the divergent findings in this study, the interpretation of the construct of job satisfaction depends on individual factors such as work settings, types of workers (Gillet and Schwab, 1975), work values, and expectations. These initial findings may be beneficial in further defining the construct of job satisfaction as it applies to professionals, taking into consideration the impact of one's gender, position, experience, age, and lifestyle choices. An expansion of sample size and the application of an alternate research methodology is necessary to ascertain further knowledge regarding the construct of job satisfaction and its relative importance in professional occupational groups such as lawyers.

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APPENDIX A

Letter to Research Participants

Consent Form

APPENDIX B

Demographic Questionnaire

DEMOGRAPHIC QUESTIONNAIRE

1. Age: 25-29 ___ 40-44 ___ 55-59 ___
 30-34 ___ 45-49 ___ 60-64 ___
 35-39 ___ 50-54 ___ 65+ ___
2. Gender: Male ___ Female ___
3. Cultural Background: _____
4. Education: Bachelor of Laws ___
 Master of Laws ___
 Doctor of Philosophy ___
 Other ___
5. Marital Status: Single ___ Widowed ___
 Married ___ Common Law ___
 Separated ___ Other ___
 Divorced ___
6. Parental Status: Mother ___ Step-Parent ___
 Father ___ Other ___
 Guardian ___
7. Duration of Work Experience as a Lawyer: _____
8. Size of Employing Law Firm (no. of lawyers): _____
9. Length of Employment with Current Law Firm: _____
10. Current Employment Position: _____
11. Area of Specialization: _____
12. Average Number of Hours Worked per Week: _____
13. Employment Status (full-time, part-time): _____

APPENDIX C

Critical Incidents

Participant 001

Participant 002

Participant 003

Participant 004

Participant 005

Participant 006

Participant 007

Participant 008

Participant 009

Participant 010

Participant 011

Participant 012

Participant 013

Participant 014

Participant 015

Critical Incidents

Participant 001

Enhancing Incidents

1. It wasn't a trial per se but it was essentially a trial. It was an administrative hearing before three federal court judges and so I questioned some witnesses and I made arguments, and I prepared all the research and I was successful and it was quite satisfying. The client was happy and my boss was happy and I felt good about the way I had handled things. And again, it whenever there's a satisfactory court appearance which for me doesn't necessarily entail winning quote unquote but putting the case forward in a proper way, the best way, having organized it researched it effectively and advocated effectively.
2. If for example, I was given the responsibility to sort of take a look at an initial fact situation and provide my boss with advice on options that we had or certain approaches that we might take, and if he adopted what I essentially set out for him in writing or verbally. If he adopted that substantially, and just sort of adopted my approach that would involve some satisfaction to it.

It was... I didn't necessarily agree with my boss' initial position on where he wanted to go with a few things because I got the impression that he was trying to please a

client too much and forcing a position that I thought perhaps somewhat unreasonable so I wrote a memo and disagreed with a fair amount of what he had said but set out my reasons for doing that and the way I thought things should play out. So, that's still satisfying in a way, I guess.

Unfortunately, the file I'm thinking of was so complex and such a large file that I don't know whether anything happened quote unquote as a result of that. It was just sort of an initial memo and there was plenty to follow after that so... yeah, nothing happened per se as a result it.

3. I talked to my boss about a case which he was essentially conducting and he had been unsuccessful at a provincial court trial on behalf of the client and we were talking about it and I just... what had happened briefly was that the woman had testified at a time when she had just found out that her father was very ill with Cancer and was on the verge of death so I was immediately struck by the fact that it may be possible to get a new trial on that basis because her demeanor and the way the judge assessed her credibility may had been adversely affected by the way she presented her evidence because of the stress that she was having so this was kind of exciting because when I started to do the research it became apparent that the relevant section of the criminal code did not... or it was very rare to succeed on that kind of argument to get a new trial and I wasn't aware of any case law similar to this situation in reviewing it and

so I did the research and I took it to court and the judge reserved but eventually found against me but it was still satisfying to have taken that novel issue and got a judge to reserve and think about it.

4. I'm thinking of specific letter that I wrote not for my boss in the position that I just left but my previous boss before that. He was quite impressed with this letter. He had been giving me a lot of flak about the fact that I wasn't giving him what he wanted on this certain file and I drafted a letter for him that he gave to one of the customs officials out at the airport to try to convince them to let our client take a flight on short notice. So, he was quite impressed with this and said, "that's a really good letter".

5. There was this family law file essentially and we were just exploring the prospect of settlement. The parties in this particular case did not like each other very much but the other lawyer was quite easygoing and I certainly was too and it's nice when you can avoid all the bullshit that you sometimes see from lawyers and just address something relatively directly and get a solution. Over the course of several phone calls and letters it was apparent that he wasn't trying to set me up in any way or manipulate me and I thought well, that's a nice switch so it was satisfying.

Hindering Incidents

1. One of the more complex and time consuming files from the office I just finished at...
The clients were, well neither of the clients were paragons of virtue if I can put it that way so they were both pretty slimy or all the parties involved were pretty slimy but when it eventually went to court our clients lost. The judge had some pretty harsh words for them. That was something I had forewarned my boss about because I didn't really believe the position that was put forward to us by our clients - their version of the contract. That was the centre of the dispute. So, I was getting a lot of pressure from my boss several months ago to support what he wanted to do which was confrontationally take it to court as soon as possible to try to get a quick favourable solution for our clients which I didn't see happening so I was frustrated by that because I didn't think it stood a good chance of being resolved at that time and in favour of our clients.

2. One of the most unsavoury clients that I had to deal with directly was the developer. He was well known about that particular firm to be a pathological liar and so advocating a position on that particular file was kind of difficult because there was a lot of animosity generated in terms of, probably a whole series of his lies and the way he was treating the person on the other side so I got a lot of that flak from the other client and eventually her lawyer and so that's annoying. Just having to deal with that client is quite annoying.

3. I'm thinking of one incident involving that particular client when after again, it was the position he was taking was doomed to fail and of course I was the individual who was chosen to take it to court and so it did fail to a certain extent and then at some point he complained to my boss about, I don't remember the nature of the complaint exactly, but then my boss brought it up and told me what he said and I just shook my head. I was disappointed that he even would mention it to me because everyone knew he was a pathological liar so what he was saying was quite clearly just a load of shit so I just had to essentially say that. He appeared to agree with me. He was passing on the information and seeing what I had to say about it so he could check to see if I defended myself and then he might be satisfied that I wasn't actually as guilty of neglect or whatever it was that the client was saying I was. I found it annoying that he would be bothered to suggesting it because this client had that particular reputation.

Definition: To a certain extent, getting a sense of accomplishment that entails for me a certain amount of intellectual stimulation, dealing with people to a certain extent although that's not especially important. Having a certain level of prestige although it's not as important to me as I thought a few years ago. I don't think that it would bother especially not to say that I'm a lawyer, that wouldn't bother me at all.

Rating: Based on my experience so far, barely satisfactory which is desribely satisfactory and I think that I've done it long enough to come to the realization that I will probably be moving on to something else.

Importance: Quite important, very important.

Participant 002

Enhancing Incidents

1. Successfully chairing a seminar which I did last week gives a sense of satisfaction. I don't specifically regard that as coming from my work so... I wouldn't ordinarily refer to that.

Definition: Arriving home in a good mood. At the end of the day feeling like you've accomplished something and you're happy about that.

Rating: On a qualitative basis, it's a job. I derive a certain amount of satisfaction which is okay. On a quantitative basis, I'd say seven out of ten.

Importance: Not as important as it used to be. There are mouths to feed and rent to pay, mortgage to pay. There are more important things than job satisfaction, at least on a superficial basis there are. How important is it? It's relatively important but it's not the most important. Before depending on your life stage it's a lot easier to change your job to change situations and not willing to accept seven out of ten some time ago and now seven out of ten would be perfectly great for me. It's for a variety of reasons. What youth brings and very few commitments bring are the ability to change or do things differently. You have more options the earlier one is in one's career and you get narrowed in your options because you develop skills in certain areas and you develop your client base and you become invested in what it is you're doing so it's not specifically only because of your personal situation but you become invested in your business and to change that you have to experience a relatively low level of job satisfaction and certainly a seven out of ten is nowhere close to considering to be at the level for me. I'd have to be significantly below five out of ten to experience that little of job satisfaction. The longer I get invested in anything, the longer I'm more apt to stay in it or am prepared to put up with a lot before I'm prepared to leave it.

Participant 003**Enhancing Incidents**

1. I remember doing a particular trial. That would now be three years ago, I think. Three or four years ago. I was acting for the defendant, an insurance company, and we won and I don't get to trial very often because a lot of cases settle but it was a trial that went ahead and a lot of it turned on, the result turned on the credibility of the plaintiff and her husband and I did, I thought, a very effective job of cross examining them and the judge found that they had no credibility and we won and it was... I felt that in that particular case I had been able to focus my skills effectively on a particular problem and I had gotten a good, a very good result for my client and I felt a great deal of satisfaction about my abilities as a lawyer following that result.

I did everything right. Nothing went wrong and...you know, as things do, things happen during the course of the trial and I was able to respond and deal with problems as they came up and more particularly, I think I had a lot of... you know the cross examination of the witnesses was fairly detailed and involved. There were a lot of credibility issues that I thought I handled the cross examination well. And because even though I'm a litigation lawyer, I don't get into court very often, I don't get much chance to practice those, what we think of as the most important skills the employer has, it was satisfying to actually get into court and get a chance to exercise those skills and be successful at it.

2. I remember doing a trial with one of the senior partners about five years ago. This was within the first year and a half of having been called to the bar and it was a substantial professional negligence claim and we were representing one of a number of lawyers who were being sued and as it turned out I didn't have a significant role in the actual trial. I was there as the junior, but it was a chance to watch a seasoned and experienced senior counsel at work and as it turned out even though there were ten lawyers in the courtroom at any one time, everyone got along and it was, the sense was that you were part of a profession and it was a good experience from that point of view to see experienced, good counsel do their job and to do it in an atmosphere that was congenial. I think that maybe had a profound impact I think on my views as to what is important for a lawyer as a professional. It strengthened for me the importance of professional courtesy and that we can without detracting from our duties to our clients, we can get along as professionals and work together in a courtroom setting which can be stressful for everyone, but we can still show common courtesy and be helpful within the limits. They were adversarial in the right way. The plaintiffs and their lawyers were trying to prove their claim and the defendants and their lawyers were trying to the best of their ability, defend the claim but the focus was on the actual merits of the case not on the personalities of the litigants and not on the personalities of the lawyers.
3. When I was newly called. I think I had been called for all of six months. One of the then senior litigation lawyer in the firm had a case going up to the Supreme Court of Canada and he asked me to help him prepare the factum which is the written outline

of argument that's filed in a report and I worked on that for it seemed like a long time and put in a lot of long hours and I remember showing him the first draft and he was extremely pleased with what I'd done which gave me a great sense of satisfaction and ended up using what I had come up with very little change and then so he went off to Ottawa and did the argument and when the court came down with its reasons in the case the majority pretty much, I won't say they just copied, but they accepted most of the points that we had made in our written argument. So that, I took a great deal of personal satisfaction with that and that reinforced for me the fact that I have the intellectual wherewithal to work in the profession at the higher levels.

Hindering Incidents

1. After I had been called for about five years I was told by... Well, I had a lunch with two of the partners and the question was raised with me about the prospects for partnership and I was told or it was suggested to me that basically if I wanted to be considered for partnership I was going to have to demonstrate that I had something to contribute to the firm. I guess the suggestion was what you need to contribute to the firm is that you need to start bringing in important clients. I guess I went through a period of time feeling really... in some ways down on myself because either, I guess I said to myself, either I'm not putting out the effort that I need to bring in clients or it's just not something that I'm very good at. So, it sort of felt like the fall from grace in some ways. I had been involved in the firm for a few years and had

done well and getting good feedback from people and then suddenly I started slipping in the estimation of other people. You could see that you're on an up or downhill slope but you can see you're not heading towards the partnership track.

Although I knew it was an expectation or it was one thing that would be looked at in considering whether one was partnership material, it wasn't accompanied at the same time by any advice about, for example, this is how you go about doing it or here's some suggestions or if you need any help, come talk to us. And at the same time it wasn't accompanied by any positive recognition of or any recognition of any positive contribution that they felt I was able to make or was making at the time.

2. There was one particular case which I had been assigned and it was a case involving a slip and fall accident in the parking lot of a hardware store and I had conducted an Examination for Discovery for the plaintiff. I had done everything that I thought needed to be done. I had made recommendations to the client about what I thought ought to be the position on the settlement and I had in fact recommended that they offer some money to the plaintiff and I can't remember how it happened but we were fairly close to trial and it hadn't settled yet and the lawyer who had assigned the file to me, I think got a phone call from the client which I think that client just made some mention of this file and the lawyer took it upon himself to, I felt, start sticking his nose into my business and it wasn't just my business - it was his client - but

suddenly I was almost being accused of doing an inadequate job and I felt like somebody was looking over my shoulder and as it turned out the case did settle and it settled for the amount that I suggested that it ought to settle for but that was the case where my judgement and ability as a lawyer was called into question and whether or not there was any justification for the lawyer's expression of concern, I felt that manner in which it had been handled again was a bit heavy handed.

3. I was ultimately told that I had been turned down for partnership and I was given a position here on a contract basis and that is the basis on which I work right now. It wasn't so much being told that I wasn't going to be considered for partnership or that I wasn't going to be offered it. It wasn't even so much that was the cause of dissatisfaction because by that time I had decided that it didn't feel like a good fit for me and I wasn't probably going to be here for the long term anyway. So, I've been working here on a contract basis for awhile and as I've been working through on that basis I've felt less and less commitment to the firm and it's starting to be time to move onto other things.

Definition: Having a sense of enjoyment and excitement about what I do. A feeling that I am making a positive contribution towards society. A feeling that what I do is valued by and respected by other people.

Rating: I guess I'd have to divide it into the professional and business sides. What I mean is this. When I'm either at my desk or at an Examination for Discovery or at court and I'm doing my lawyer thing, I'd say that I have a fairly high degree of job satisfaction because I get a satisfaction out of what I'm doing. I think I'm good at what I do and I enjoy it. On the more business side of things in the office at the end of the month and the partners are coming around asking what you're going to bill or they're commenting on the number of hours you billed last month or whatever, or I'm contemplating what opportunities there might be for me elsewhere, then I'd say my satisfaction is pretty low. My sense of satisfaction pretty low.

Importance: I'd say it's very important. What you can earn as a lawyer is significant and of all the options available to me now, I can earn more money working as a lawyer than doing anything else but in the long term if I didn't feel any sense of satisfaction and I didn't see any prospect of feeling a greater sense of satisfaction as a lawyer, perhaps in a different context, I'd do something else.

Participant 004**Enhancing Incidents**

1. One was the culmination of a very long matrimonial case bearing a lot of hostility between the parties and it was a case where my client, who was the father, had virtually no chance of getting custody of the two kids. The wife was a stay at home mum. The father worked long hours. One of the children was not even his biological child and from day one when that guy first came into see me we had to develop a strategy. The strategy worked to a tee. It was essentially to show that this woman was incredibly selfish, socially almost to the point of immorality and did not act in the best interest of the kids. And in spite of the fact that the father was off working a lot of the time and didn't have the time for the kids, he could provide them with a better home than the mother could in a moral sense. So, the day that the I got the decision on that and my guy got custody, that was key.
2. I remember one occasion when it was just an incredibly simple little application that I had to drive out to New Westminster and make a chambers application to get some ridiculous application adjourned, just to put over to another day and the other lawyer, the other side, was opposing the adjournment. But for some strange reason, it was just one of those days where everything seems to go right and the judge bought my argument, adjourned the thing and I remember driving back from New Westminster thinking this is so much fun, it's incredible I actually get paid for this. I'm having

so much fun. It was just an incredible fluke that I ended up getting a job, being compensated for doing something that I found to be so much fun.

3. Something I found quite neat although it didn't end up being a win, but this was when I was, I think, either in my first year of practice or just articling. I think that I may have just been articling which is like a law student and I was junioring our senior partner on an appeal in front of the Court of Appeal and I was just sitting there. I had done all the research for him when I put together all the authorities and talked with him the night before and he was all ready for this thing and he got up to make his argument in front of the Court of Appeal and the Court of Appeal judges are very bright and they don't take any crap. I really like the Court of Appeal, really like the Court of Appeal because when you get shit you deserve it, and if you've got a logical argument they're swayed by it. They'll listen. So, I was junioring the senior partner and he got up to make his argument and the first judge says to him, "Excuse me, Mr. "G", before you proceed you're going to have to get by this one point. There is an issue here that I have some difficulty with. Can you address this question?" And, he listened to the question and he said, "Oh, okay" and then he started his appeal. He started again! The judge says, "No, no stop! I said, I don't want to hear you on that, I want to hear you on this point. You address this argument please, because if you can't get by this, you're not getting through this appeal." And the senior lawyer says, "Well, I'll get to that in due course." He says, "No, you'll get to it now. You

know, it's an important point, it's the key threshold issue." So, he leans down to me, the senior lawyer and he says "What's he talking about?" And I said, "Maybe you should ask to stand down for a few minutes". They go and we talk so that you can take instructions. Like a timeout. He says "Good idea", so he says, "I'd like to stand down for a few minutes while we discuss this matter" and of course this is fine. So then, I started explaining to him what the question was and he says, "I think you would do a much better job explaining this to the court than I would". So, sure enough they came back in and I made the argument on that point and the judges understood and I understood. Of course we didn't win, they threw us out but still it was sort of a neat experience. Of course, that's not uncommon.

Hindering Incidents

1. For example, there was a case that I just recently won in the Court of Appeal but I remember going back to when I initially brought the application in Chambers. They do quasi judicial officer, they get a master who is like the same as a registrar that I spoke about earlier and I remember losing the... and the master at that time, or anyone has the discretion as to whether they'll tell you right then whether you win or lose and tell you why or else they can do what's called "reserve" their decision and write something and tell you later. This master right then at the end of the application gave his reasons and he dismissed my application and gave his reasoning which is supposed to be the logic behind his decision and I remember I was just really

upset. I thought that really should have been a winner, then I started thinking... as I was walking back to the office I remember thinking, "Yeah, well what the master said I guess somehow made sense and I can imagine that it was sort of reasonable that he did what he did", and I guess I was kind of rationalizing to myself the fact that I didn't really blow it but what they did made sense and within about I'd say a couple of hours though, I had much more persuasively or more comprehensively gone through that argument and realized to myself, "No, he didn't make a mistake. That isn't logical what he did." And then, I talked to the client and said, "I think we should appeal and here's why" and he said, "Just do whatever you think you should do", and we went forward. But, yeah it's interesting that you can't dwell on the negatives and neither can you dwell on the positives. I felt to some extent disappointed in myself because you should be prepared for anything that will happen - the other side's arguments. You should be prepared to meet almost any argument and you've got to persuade yourself that you can beat any argument. And, to have gone in there without any way to beat this argument, like I just thought that I'd let down the client and I'd let down myself. I just didn't, hadn't done a good job. Sometimes that happens too if you're not prepared properly. I find that preparedness the biggest factor in determining whether you're going to be successful or not. Sorry, the biggest factor in determining how I feel after an application. Because if I'm totally prepared, totally confident, lose anyway but feel that I've given it the best I could doesn't make me feel bad. If I go in there and I'm not totally prepared, and feel that I've lost

because I wasn't totally prepared, that's the worst because I'm disappointed totally in myself.

2. For example, a new client came in, "How much will it cost to take this matter to court?" "Well, I don't know, I can't tell you that. A minimum of \$5000 and a maximum of \$50,000 if it goes to a big trial." And I said, "Well, to start on the file I'll need \$1000 just to file the initial documents and things like that." They gave me their \$1000 and it was gone, that amount of work was done within a couple of weeks and I sent the client a bill with the amount and said, "Okay, I've billed this \$1000, now send me another couple of thousand dollars." They wrote me a letter saying "I don't have a couple right now but I can give you five hundred for now and please keep working on it." I kept working on it and eventually I was in the hole where they owed me six, seven, eight thousand dollars and the file ended. Whether it ended satisfactorily or not doesn't really matter but at the end of the day I had an outstanding account from this client and then I had to try to collect it and that got to be a nightmare. If you make it a strict policy that you don't do any work without the appropriate retainer then that won't happen.
3. I've got a file right now for work that I did for a client in 1993. We agreed in 1993 that the amount of his bill was, I think eight thousand some odd dollars, and I got a judgement against that, against him for that. He has a house out in Burnaby. We

registered the judgement against the house which gives you the legal right to apply to the Court for an order that the house gets sold to satisfy your judgement. It's been sitting that way now for four years and I don't want to take the time and energy and expense to file some new court application to have this guy's house sold. So, it's just totally annoying, it's frustrating.

4. One of the lawyers here had a case where he was representing a fellow on some criminal charges and he successfully got the guy off whatever it was he was charged with and the kid, the guy had absolutely no money to pay for a lawyer and didn't want legal aid, wanted a real lawyer and so his mother or grandmother, I can't remember which, it was an elderly woman, put a mortgage on her house, gave the law firm a mortgage on the house to secure the fees. So, the case is over, the fees were twelve or fifteen thousand dollars and the guy doesn't pay, doesn't pay, doesn't pay, doesn't pay. The lawyer sends all kinds of threatening letters to this guy. You know, "We really want you to pay. We don't to have to take steps to sell your house", you know, on and on. Everything is ignored right to the mother. "Look, we've got this mortgage against your house. We've go the right to sell it. We don't want to do that. Please stand by your obligations." And nothing happens. So, finally we had no alternative but to make an application to sell this house and the next thing that happens is it's on the news about the scummy lawyer who's trying to throw this old woman out of her house and this Gold Hawk who stands up for the rights of the

downtrodden on Channel 11 or whatever it is. Gold Hawk has the whole damn thing on his show to make it look like the lawyers are scummy. So, because of this Gold Hawk thing and the publicity, we totally backed off, said that we'd make a deal and stuff. We totally backed off and they still haven't paid the bill and this was like two years ago. So, it's not fun.

5. I did have one about three years ago. I took the case and only kept the case for about five or six months because this client had credibility problems. Some of her evidence, I concluded, was false. I didn't believe her. I said that I didn't think that I could represent her properly.

6. I had a client and I'm in the midst of taxing his bill right now, who had a dispute, a real estate dispute, and he wanted me to go and take it to trial and to ensure that not only did I win but that every single penny that he had spent in fighting this law suit, he got back. Every single cent. And that's what he demanded I do. And I said, "Look, I cannot guarantee that. No lawyer can guarantee that. You know, I can give you a probability of winning but there are so many variables, which judge you get on any given day. There are so many things that can happen." And I said that, "If you're insisting that that's the basis for me representing you in this, I'm not doing it". And that sort of ended the relationship right then. He says, "Well, you're not doing this for me, I'm not paying you". So, now I'm taxing his bill. And I should have

known 'cause this guy as well when he came to me he had a previous... I did a couple of things for him. I did a matrimonial thing for him and this real estate dispute, and both of them he had previous lawyers that he said he was not happy with. What I should have done is when he first made this demand to me that he didn't want... that he wanted me to ensure and guarantee that this was going to happen. At that point, I should have said "No". But I didn't, you know I went along for a long time before I finally got off because, what happened in the case was the person that he was suing had made him an offer early on in the proceeding and the offer was that my guy win. He said, "I offer to give you everything you want and you'll get the costs of the case that are allowed by the rules of court." And when my guy came to see me, that offer was on the table. I said, "Why the hell don't you accept it?" He said, "Because they will not guarantee that I will get back every cent that I've spent." And I said, "Well I can't guarantee that you'll get back every cent that you spent either." What I should have done at that point is to say, "Put in writing it is my strong advice that you accept the offer that is on the table. I do not believe that you will get any better than that even at a trial. If you insist that I proceed to trial, I want you to sign this letter with instruction to me and date it and provide me with ten thousand dollars up front." That's not what I did but I would do that now.

Definition: One of the factors is being happy to go to work in the morning, not looking for excuses to stay home. Just feeling good about what I do.

Rating: Out of ten, I would say a minimum of nine and a half. That means that I can't think of any career I would like more.

Importance: Really important.

Participant 005

Enhancing Incidents

1. We were sitting around a table trying to tackle a legal issue which for our client was going to be difficult to surmount. We were facing an uphill battle with it and felt like we'd exhausted all possibilities and we were just going to have to do our best but it was probably going to be a losing point. I had an idea in the back of my head about a way to tackle this problem and finally voiced it and it was "the answer" and it completely changed the complexion of that issue for our client, and two of my colleagues... My colleagues were excited about it, were really voicing how excited they were about it. One of them even said, "This is going to work really well for another case I'm doing." It is going to be transplanted into another case as well, in front of another court at higher court.

2. I was still an articling student or a newly called lawyer, I think. I was in a position where a lawyer in this office who was handling a file was on vacation and he gave me a file that I wasn't familiar with to deal with in his absence. While he was absent, of course the other lawyer knowing he was absent and there was a junior lawyer in charge of it tried to exploit the situation and tried to bring an application on that was fairly difficult, it was contested, and it required a lot of knowledge about the file, etc. Anyway, I wasn't well equipped to do it and I went to court in any event and did the best I could. To make a long story short, this same lawyer tried to bring on a second application on a related topic which I felt was completely inappropriate because we had already had one hearing which dealt with the issue. So, without going into all the nitty gritty details, when I went back to court the second time I remember very, very... I was actually quite upset so I think that came off well. It didn't come off as "upset", it came off as sort of incensed but reasonably incensed and here I was, a much younger lawyer with a seasoned lawyer and I gave my position to the judge and explained why I felt the application was unnecessary and the judge completely bought it and went so far as to ask the other lawyer to issue an apology to me. I felt both absolutely horrible because I didn't want it to go that far. I hadn't meant to humiliate another lawyer but I felt really taken advantage of. He knew I wasn't familiar with the file and the application wasn't necessary. It could have waited until the other lawyer came back, etc. so I thought he was exploiting the

situation and I didn't want to let him get away with it. That felt great, the fact that I could stand up to this.

3. When I made the decision to work for a smaller firm what I considered to be the benefits of the smaller firm far outweighed what I was losing. What I felt... I thought at the time that I would probably be losing in terms of pay, I'd get lower pay and that hasn't quite worked out that way. I think my pay is quite competitive so it's been a good decision. I thought also I would probably not get to do the kind of legal work that some of my peers in larger law firms do. Again, that's not panned out. I'm doing a case right now that's...very few people who have been a lawyer for four years do a case of this magnitude here. And this is not my doing. It's by fluke entirely I landed on this case but it's great and it's available to me in this small firm and a lot of people who practice in large firms don't get to do the hands on legal work like that until much later in their career. It was a bonus only because I didn't understand how little law firms work. Now that I understand how they work, it makes sense that I got to work on a case like this early on. Little law firms don't have the luxury of big shot lawyers doing certain cases and other lawyers doing other cases. When there is a big case that comes into a firm like this, the firm pulls all of its resources together and I'm one of them.

4. When I was just starting out I had been at this firm for two weeks and a lawyer asked me to do work over the weekend -- the most senior lawyer in the firm. So, I looked at the work and I was really annoyed because I had plans for the weekend and he of course wanted it first thing on Monday morning and I looked at it and I thought, "There is nothing here which requires urgency". So, I went back to the lawyer and I had never stood up to an employer like this before but to show you how important plans were to me, I said, "Can you explain to me, I don't mean to be disrespectful, but can you explain to me what the urgency is because on the face of this project I can't see what it is." At which point he exploded at me and told me that if that was attitude I had I should be working for the civil service, I'm not cut out to be a lawyer if I have a problem with working on the weekends and I miraculously maintained my cool although inside I was going "Oh my God, oh my God!", and I said, "I don't think I have an attitude. My personal life is important to me. I don't mind doing the work and I certainly don't mind meeting deadlines but they have to make sense". To make a long story short, he was annoyed with me, quite annoyed with me. I didn't do the work over the weekend and we talked again on the Monday about my philosophy and his philosophy, his expectations, my expectations and it got ironed out and from that day on... it was very early on in this firm, two weeks like I said, I would sit there and be finished with my work at five and meanwhile all my friends who were also at law firms would feel like they had to stay until eight to be able to maintain, to keep their jobs. And I would say, "I'm finished. I'm going" and would

leave a little bit nervous about what people thought but I would leave anyway thinking... essentially my attitude always was if they're not happy with what I'm doing and if I can't be a lawyer living like this then I don't want to be a lawyer, I'll find something else do and I don't define myself by what I do so it was easy for me to make that decision. I sort of decided what I wanted and then lived by it.

Hindering Incidents

1. On this occasion that I worked 34 hours straight and got no increase in remuneration from that and I'm sitting there thinking "Everybody in this firm who's not me and who's not an associate, a secretary who works extra time like that finds reflection... that's reflected in her paycheque and it's not for me". That's annoying and it's tiring because you feel like, whether I work five hours or I work 25 hours, it makes no difference.
2. I remember once going into court. And again, I think it's often linked to inexperience. The more experienced I am making an argument, litigating, being in court, the less I'm horrified by what could happen that I'm not anticipating, etc. but I remember once going in and I had slaved over preparing for this particular application. I knew my stuff backwards, I knew it inside out. I stood up and before I could open my mouth the other lawyer said that I was proceeding on the basis of the wrong statute. In other words, I was not, I was relying for my application for my

argument, something completely irrelevant, or so he was saying and I had to right there, and never having seen the other statute that he said I ought be relying on, I had to sort of fight my way through this and spent about ten minutes arguing that I was relying on the right thing and finally the judge said to me that he disagreed, that I was relying on the wrong statute, at which point I thought, "Okay, well I've lost this application or I have to go back to the office, redraft everything, make sure it's based on the right statute", and so I was feeling quite dejected. The judge then smiled at me and said, "But you can simply proceed on the basis of the right statute. You don't have to do anything." I hadn't realized because I was too inexperienced that all I had to say was, "Okay, I adopt my friend's suggestion" and then proceed with my argument. So, I still think back to this moment of sweating for ten to fifteen minutes arguing a losing point. There was no way this could be a win with a courtroom full of other lawyers probably giggling listening to this. Then afterwards realizing that none of it was necessary. You know, that kind of experience where you're so frustrated by the fact that you don't know what you should know and it's for no other reason other than the fact that you're training still. You don't know everything about your profession. So, that's hard.

3. Once I went to court not prepared enough on the file that wasn't mine. Again, that happens a lot when you're a young lawyer. Another lawyer will give you something to do. It's not you're file, you don't know all the facts, etc. And, having the judge

rightly, completely frustrated with me. I couldn't answer questions that I should have been able to answer and I got very flustered and it's a humiliating experience because you really come across like you haven't done your work, you're stupid, you're careless or whatever. So, that's a very unpleasant experience and you walk out of experiences like that... I walked out of that experience feeling like, "God, I never want to do this again. Why do I put myself through this? Why this stress? There are so many jobs I could be doing. I could be a video store clerk. I could be stress free. Why do I put myself through that?" Because, it's truly atrocious. It's very, very nasty when that happens.

4. When I first started working I was exposed to some incidents of sexual harassment which I had never had to deal with before other than the mild innuendos and stuff that I think all women put up with. Things that I consider severe and I had no clue how to deal with, and were very, very upsetting to me because I had thought I had picked a gem of a firm and all of a sudden I had this bomb explode and I was completely disillusioned and I thought, "Oh my god, this is..." it tainted not only my view of the firm to a certain extent initially at least until I dealt with it, but also my view of the work world because I had just come out of school and I had never had a job that wasn't a summer job or a between degrees job, and so all of a sudden I thought, "Is this what it's going to be like?" and it was absolutely disheartening. I was devastated. I confronted the lawyer and essentially said... It's happened with two

different lawyers. One was an elderly lawyer and rightly or wrongly I see that differently than the behaviour of the lawyer who's in his thirties or forties. Somebody I think ought to know better. So, if it's someone in his sixties or seventies I think, "This is really unfortunate that this person was socialized to think this is okay." It doesn't mean that I don't address it but it feels differently to me. The first time it happened it was with an older lawyer and I dealt with it by sitting down with him and again, I remember thinking, "I'm going to lose my job." Again, thinking, "I don't care if I lose my job because if I lose it over this then I don't want to be here." I essentially said to the lawyer that I remember it almost verbatim because it is so clear in my head, I said to him, "So and so, you're a senior lawyer. You've been practicing for decades and you're in a position to tell me how to do my job, to give me tips and feedback, positive or negative about how I conduct myself professionally, what my work is like. And I should be able to take that kind of input from you. But what I will not take from you is the kind of sexual innuendo you threw my way, the kind of disrespect you showed me last Friday." And I left it just like that and I remember he said, "Oh boy." And I thought to myself, "He's grasping how serious this is" and I said, "Let's have a talk." So we went for coffee and we talked and I essentially said, "You know, this is unacceptable to me. I can't live like that. I find it absolutely impossible to be treated like that." And he said, "Don't take this personally. I've been like this all my life." And I said, "Well, that's a great explanation but it's not a justification. If you and I need to work we need to find

middle ground." So, we reached a compromise. Some might call it selling out. For me it made sense. I said, "I'll take what you say with a grain of salt but you need to watch what you say." That is something I would do with an older man like that which I wouldn't do with a younger man, that kind of compromise and it worked great. It's funny. As soon as I did that even had he continued, it wouldn't have bothered me anymore in a weird way or it wouldn't have bothered me as much because he knew I wasn't "taking it" and I wasn't being intimidated and shriveling up inside so once it was dealt with like that it made a huge difference for me.

5. Another way I dealt with it with this same lawyer. I remember at another point he came in and asked me to make a cup of coffee for him and a client and the client was right behind him and I didn't want to make a scene with the client there. So, I said, "Sure, why don't you follow me into the kitchen so I can show you how to make coffee." So, he's chatting with the client as they follow me into the kitchen and I stood in front of the coffee maker and I closed my eyes and I moved my hands in front of the coffee maker like this for a few seconds until he noticed what I was doing. And he said, "M, what are you doing?" and I said, "Oh, I don't know how to use this coffee machine but I'm a woman so intuitively I think I'll figure out how to use this coffee machine." So, he exploded in laughter, so did the client, I did. I showed them how to make coffee and he never asked me to make coffee again.

6. I had a much harder time with a younger lawyer whose behaviour I considered really inappropriate. First of all, I knew he was attracted to me which made the situation difficult to begin with. So, put in that context, little sexual innuendos, sexual jokes, comments on how I look all the time, that kind of stuff. It became very, very difficult to the point where after having addressed it both through humour, screaming stints, slamming my door at him, nothing worked. I finally wrote a memo. A three page memo where I re-stated everything I could remember everything had happened, some of which I had written down before as it was happening and essentially said, "This is my last attempt at dealing with this amicably and between us. If it doesn't stop, I'll take it elsewhere." And it stopped.

7. I remember telling this particular lawyer, "My sex, what I have between my legs is absolutely irrelevant to my relationship with you in this office. So, any sexual comment, innuendo, blah, blah, blah shouldn't even happen between us." To the point, I was getting crude about it because that was what it was like everyday, it was crude and I was feeling outraged. You can probably tell by my voice right now, outraged that I had to deal with that. It's been a big relief that it's stopped. And it feels good that I dealt with it.

8. Going to court very early on in my career, somebody introduced me and you know, there was a reference to, "Well, she's pretty. We only have old broads in the office."

9. Preparing an argument, there were three of us working on it. A lot of this is teamwork, right, so if you're a selfish person. I think I am. I like my own work. I like to do it by myself. I often don't trust other people's work, etc. When you're working in a team environment like that you have to let go of a lot of your own ideas and suggestions, etc. That can be difficult. We were working on an argument and two of us, two out of the three, felt that something really needed to go in, a particular aspect of an issue, really needed to go into a paragraph. And it was essential. It had to go in to make sense of the rest. And the final decision maker, the number three person, couldn't see it and didn't agree. Couldn't see it or couldn't agree and refused. And not having the power to say, "Well, too bad it's going in anyway" was incredibly frustrating. You know, you work so hard to put something good together and for reasons completely beyond your control it's going to be less good than you think it should be. It's very frustrating sometimes. And the way I've dealt with that is by thinking to myself, "Well, I can only do the best. I've got my role defined here and it's limited unfortunately." Sometimes I wish I had more power to dictate the outcome but within what I've got to do, I'll just do my best there.

Definition: Job satisfaction for me, how it feels is, feeling like coming to work every morning is okay with me and what I have on my plate that day is generally, and with exceptions of course sometimes, is generally something I'm looking forward to doing and in order for me to get that feeling about work, I need to have enough time to feel things other than work. I have to have my quota of off time to feel good about my on time. Even if I had the best work on my plate that day, if that day is too long or the day before was too long or the day before was too long, I don't care. I'm not into it. I resent not having enough of a balance in my life if that balance is not there. So, that's what job satisfaction is for me. Having a balance between what I have to do and what I want to do.

Rating: I would say, seven out of ten. Moderate to high I would say. I feel like I have a lot of control over what happens to me professionally and that's why if I didn't feel that it was up to me to decide what my job was going to be like or if I was going to keep this job or go elsewhere or do something else, I think my job satisfaction would plummet down.

Importance: Hugely important.

Participant 006**Enhancing Incidents**

1. I was given the go ahead to spearhead an information gathering trip to Toronto where the heads of some of the major insurance companies there as well as some of the people who are instrumental in running the Ontario Insurance Commission and some heads of government as well and some big players in the litigation circuit. That sort of gave me a sense of satisfaction because my employer was expressing the confidence in me to be able to rally the troops and organize it in such a fashion that there would be valuable information obtained in that trip. And it was at a time when there was incredible constraints on travel generally and especially out of province travel. And it was something that has gone right through the ranks in terms of the information that we obtained. That's been distributed right through the ranks and has helped us to embark probably to the most productive extent on our design process since coming back with that information.

2. When they ordained that I would be lead counsel on an appellate case that was being taken up to the Court of Appeal by a plaintiff that I had been in trial against. That was satisfying because most appellate work is done by outside counsel. We have a few select firms that do the bulk of our appearances in the Court of Appeal. So, for me, well actually for our office, which is the younger office, that was the first case to go to the Court of Appeal. In fact, it's the only case we have had go out of the four years that office has been in existence.

3. When I was moved to, well I was chosen as the only junior member of our designated defence team at our downtown office when they reorganized the litigation department. I was pitted against a number of senior barristers in that competition and that was really satisfying. There was some prestige attached to it and lawyers, I don't know whether instinctively or by training or a combination of both, have an unsated to need to win and that was exemplary of that.

4. And out of that too, there was some satisfaction in when I was left, as we all were, to design my own area of specialization and the one that I found was one that they weren't even aware of the need and that was for out of province defenses and so I carved a special niche of my own that hadn't been identified and now is still ongoing despite having left the department. There is now someone who has taken over that area of practice and out of that I also identified the need for people to become trained in conducting arbitrations which I became trained in as well and that I initiated because there wasn't really an appreciation for how arbitration fit into our legislative system because no one was actually doing it in-house. So, when I successfully advocated the need for that and was able to spearhead that as well, there was some satisfaction in that milestone.

5. I'd had a real positive experience prior to articles because I had been practicing overseas with a firm in Southeast Asia and with whom I had the opportunity to act in the capacity of an equal partner because there was some benefit to be derived from

having someone there who was western in conducting some of the negotiations with parties from the west.

Hindering Incidents

1. Probably the deepest abyss that I've been in, and there's been more than one in this profession, was at the time when I was called... in a way it was a bittersweet moment because immediately after being called I didn't have a job and I spent four months unemployed and that was incredibly disheartening and I was really disheartened at the profession generally and of course I was disheartened with the firm I had chosen because of what my ultimate fate had been, particularly since I had really positive reviews during the course of my articles. I had an intimation from the firm that it was probable that I was going to be kept, the only one kept on out of the eight of us and I'd be offered a position which obviously didn't come to pass and no one was offered a position. And then I found it incredibly difficult to find to a placement in that intervening period and I felt that in light of my accomplishments to date, I'd have a relatively easy time of it in terms of obtaining employment in the profession because there was always that perception that you always had the option of just hanging out your shingle but that's a little daunting to put it mildly. No real experience to build upon.

2. My second one (a performance review that led to demerits) which was the point where I was a year and a half in employment with the corporation. What that did was actually impeded my promotion so I didn't get moved up one level in the pay scale and so it had that deleterious effect which I really resented because I knew that I was actually doing a great deal that was enhancing the previously tarred reputation of the department and that was getting polishing because we were getting rid of the baggage from before by producing higher quality service and I knew I was one of the key players in that and yet I was suffering for something I felt was inconsequential in the overall scheme of things.

3. One instance where I actually saved the corporation hundreds of thousands of dollars in a case where I actually succeeded in having the case dismissed and it was on the basis of a liability dispute that we had and I think frankly it was just a case where I had, there was an element of luck. I was somewhat unfairly pitted against someone who hadn't as good a grasp on the facts or wasn't able to manipulate them, and I use that word emphatically, quite as cleverly as I did at the time. And I don't say that with any great pride because now the claimant's husband I had come across on numerous occasions at his place of employment where I frequent to buy groceries and this woman, his wife was legitimately injured, well seriously injured and there's no question about the legitimacy of her complaints, I mean she's permanently unable to work, English as a second language, I mean it's a tragic situation and it was truly,

yes, there may have been an element of negligence on her part, whether it was totally her fault or not, unfortunately I wasn't the one to make the decision. But, I felt that I was the one who was the catalyst in that decision being made and therefore what was a very favourable result for my client wasn't particularly one that was palatable for me because I feel that this person has had an incredible misfortune brought upon them and I feel that in part I was a party to it.

4. I can think of a specific instance where I sat and looked at a claimant whose injuries were notionally more severe and because of the way the system is structured, they were entitled to greater recovery and to be more specific, the evidence supported a finding of fibromyalgia as the diagnosis and therefore there's greater recovery in terms of damages both on the side of pain and suffering as well as in terms of economic loss and it was a sexy issue in that for some time it was the flavour of the day as far as disorders go and for attracting big dollars and attacking that file didn't have great demands beyond those which were of lesser dollar value and I found that was one that I could look at from the perspective that maybe it wasn't so exemplary of how complex litigation in general would be and then I dealt with a head injury case with someone which was a tragic case to deal with but in that case it became very much an arithmetic exercise. Look at trying to pick apart the medical evidence the same way you would with one of lesser dollars or less severity in terms of the injury

itself, you just spent more time. It was just a question of quantity as opposed to real creativity and real... The skill set is the same.

Definition: Being in a dynamic, creative environment with a sense of making a difference in my work. Not necessarily tangible in the sense, but quantifiable difference that I could actually measure in some way. It doesn't have to be tangible good but just seeing having had an impact. A dynamic environment where it's exciting work, having a measurable difference, a lot of autonomy, not necessarily to work individually but autonomy to work without being encumbered by rules, and with people who are fun to be around, which lawyers frankly, generally aren't. And something that still has some prestige affixed to it. I am somebody who needs either some caché affixed to what I do for a living and some societal recognition that this has got political punch of sorts, and I also I guess for me personally, I find myself in a place where I'd like to have a job that is not, doesn't require a fixed address. I'd actually like to be in a form of work that is somewhat itinerant, I guess.

Rating: As a barrister, on a scale of one to ten I would rate my job satisfaction probably around a bare pass, maybe as high as a seven. In my current work, I don't think it would exceed greatly beyond an eight.

Importance: Incredibly important. I thought that money might compensate for any absent satisfaction but I think that one tends to not have one without the other. I'm more likely to have monetary gain if I've got job satisfaction. For me, I know that job satisfaction is critical because I know that should I really wish, I could go out and persecute myself somewhere out in the practice and have monetary rewards for that but there wouldn't be job satisfaction commensurate with that. Yeah, I think it's key.

Participant 007

Enhancing Incidents

1. For instance, in this case that I was thinking about that I didn't really articulate, an individual was suing for a number accidents that he'd been in and there was some real credibility issues in relation to his evidence and the cross-examination that I did revealed all of that and so that was a personal satisfaction. On that occasion the client went to the head of litigation and asked that a letter of commendation be given and that was wonderful.
2. A food poisoning case in which I thought we had a... it was a real crap shoot as to whether or not we would succeed at trial, and because it was a small claims matter

the rules of evidence are not as rigid as they are in the Supreme Court and we ended up settling it for basically a song.

3. An arson case that I worked on, I did a lot of work on it. I was junioring it. That was a particularly satisfying case as well although I wasn't dealing with the negotiation end of things, it was really fascinating. It was really close to doing a criminal law case. I really enjoyed it. I really enjoyed the partner that I was working with and the work that I did I thought was very good and it contributed to the ultimate settlement which I thought was a very good deal again for our client and again it was very satisfying.

4. Another trial that I did, one of my favourite trials. It was a dog bite case and this fellow had been golfing and he leapt over the fence to urinate in my client's backyard and my client's dog bit his leg, quite badly actually and his hand. And, so he was suing them for ten thousand dollars. Again this was a small claims, you get such funny claims. And, the law was actually against us and we shouldn't have won but the lawyer on the other side was not as up as he should have been on the law and he also didn't cross examine my clients very well and if he had he would have discovered that this dog had bit before. But to me, even though perhaps it wasn't even in accordance with the law, it was such a victory because these people were so

wonderful and here this guy trespasses into somebody's yard and I felt a tremendous amount of satisfaction as a result of that.

5. There was a particular instance that comes to mind where a lawyer on the other side basically swore an affidavit indicating that a lawyer from our firm was, I don't want to use the term lying, but there was clearly some different issues and we went through, just purely accidentally one weekend I was in the office doing some other work and they were desperate, these two lawyers, trying to get this argument together for the Monday so I said, "Oh well, I'll help you out" and we ended up working the entire weekend on the thing and it was really rewarding because I really felt that this lawyer had been maligned and it was an unfortunate set of circumstances and as it turns out the courts ended up agreeing with us that in fact what had transpired was completely inappropriate.

Hindering Incidents

1. I recall one particular occasion when I was called in at the eleventh hour because I had a reputation who liked to do that, who liked to come in and sort of save the day. So, I'm on this file, called in at the eleventh hour, no prep had been done on this file. Basically for five years it had been sitting around, there wasn't initially a proper investigation done and as a result of all these interviews that I was required to do, certain documents surfaced and when those documents finally were produced to me

which was shortly before trial, these are documents that should have been identified five years previously, they dramatically altered our position and the partner that I was working for had told me to get all those documents together, to list them and provide lists to the other side and I was obliged in law. I had to disclose these documents, there was just no question in my mind and I did up a list, fired off a list and everything and then in discussions, and again this is because he was giving me discreet tasks as opposed to, and this particular partner always did this, didn't want you to know too much about what was going on but would give you very discreet tasks but when you do that you run the risk of somebody missing something important in the big scheme of things. And I didn't know what the other side's strategy was as far as defending this case and lo and behold one of the documents that was produced jeopardized our case and he said, "I can't believe you produced it". I remember thinking, "You know, if this becomes an issue then I'm going to quit" because there is now way that I would have... I mean I would have been obliged to produced this document.

2. I remember an occasion when I received negative feedback from someone I was doing work for where I had gone to court and argued something in accordance with the argument we had prepared and I had lost and when I went through it I had always been of the opinion that we shouldn't win and I had said these are my reasons why and I had been told specifically not to argue "A" and of course when I go into court

and I'd gone without "A", but when I went into court after I did my arguing, it was the first thing the judge says, "Well, what about "A"?" so I have to address "A" and I remember coming back and telling the partner who I was doing it for what had happened and he just tore a strip off of me, which didn't really affect me because I just thought, "Well, you're an idiot because I went in and I argued this appropriately. I had already told you that I thought it was a bit of a loser and I think the judge was right". I thought he was right in what he found and so did a lot of the other senior practitioners in the firm.

3. In one situation it was to add somebody as a third party and their counsel on the other side argued very very ably his position and I felt that we should have won. He was more articulate and I know why we didn't win and again it was a situation where you get handed an application to go in and argue and in fact it's too late. You can't bring on an application with only two weeks before trial and you're just not going to succeed in adding parties and doing things like that so your efforts are really undermined.

Definition: It's working with good people in a friendly environment, having good work, meaningful work, having some intellectual stimulation which is something that's a bit on the down side of my current job because intellectually it's not as taxing, doing a job well, representing a client well, and achieving a just result.

Rating: As an insurance litigator, not even close, well below the 50 percent mark of achieving that kind of satisfaction. And in my current position, probably 80 percent. Before it would have been a three out of ten and now it would be an eight out of ten.

Importance: Absolutely important.

Participant 008

Enhancing Incidents

1. We had a client who was selling a third of his company, so a third of the shares, outstanding shares of his company were being sold by a U.S. partnership that was kind of a venture capital partnership. And so, our client made ten million dollars and I usually don't concern myself with clients in particular, their fortunes or misfortunes, but in this case I really identified strongly with the client. He was a man who was developing a software programme and his company initially wasn't going very well; he had to mortgage his house, he almost went bankrupt, he was saved by the intervention of his employees which lent money back to the company and he promised these employees some shares in the future. Just at the worst time for this company, they were marketing this software programme and they made a sale and it was a significant sale and that helped the company significantly and because of the quality of the programme there was quite long sales thereafter. So, the company turned around and this offer came in and the owner of the company said, "Okay, I'm going

to sell a third of my shares" and he came to us for advice. I found he was particularly ethical because he made it clear to us that he wanted to make sure that the employees also benefitted from this offer to purchase the shares, so they would each benefit proportionately according to the number of shares they held. Of course the employees had a minority position. But anyway, he was still ethical in the sense that the employees didn't actually have the shares issued to them. They were in quite a weak position because our client could have repudiated the purported agreement to issue shares to these employees but he didn't do that and so we got everything straightened out. But we wanted to minimize the tax that our client would be having to pay and so I talked to the female tax partner and she suggested a particular scheme. I shouldn't call it a scheme, it's totally legal. Basically, by following this particular strategy we would eliminate provincial tax on the gain. You'd still have to pay federal tax but you completely eliminate provincial the provincial tax which would amount in this case to about one and a half million dollars. So what I did, I took the idea, which wasn't really a new idea but it was an idea that I'd never had any practical experience with so I had to do the research and figure out how this strategy worked and made sure that it worked in our circumstances. So I did a bunch of research and together with the Montreal office we did some of the corporate paperwork and I did a memorandum setting out the basis of this strategy and the purported benefits and my conclusion that it would work if we did X, Y, and Z. And the male partner who reviewed my memorandum and the approach concurred that it

would work and he said it was a very good memorandum and he was really pleased that I had taken what was basically four words from the female partner and was able to use these words to basically do everything that was necessary to save our client a million and a half dollars. So, he said he was quite impressed by the fact that I took that idea and ran with it and that I worked independently. Now working independently can sometimes be good or sometimes be bad. Partners like it when associates can work independently but they don't like it when your independence affects teamwork. But in this case there was no teamwork. I was kind of doing it solo. And it wasn't because I wanted to do it on my own. It was just that nobody else had time to help me out.

2. We get reviewed every six months, in theory, and my reviews have always been quite good. I've never had any negative feedback. The last one was, "Well, "T", everybody likes what you're doing and you seem to be doing a good job. Carry on as you were."
3. When I got my computer... they're always changing the programmes so they're making it better and better and I'm a control person so I'm very happy to have a computer because it gives me access to my documents and I can edit my documents. I don't like using a secretary.

Hindering Incidents

1. When I started with the tax group, of course I was quite wet behind the ears and there was six months literally where nobody gave me any work. So, I felt like I wasn't contributing, I wasn't pulling my weight. It made me extremely unhappy. I didn't know what I was doing and seriously I actually thought that if it didn't change in the next two weeks, I would resign and look for something else. I thought nobody trusted my work. They didn't like me because they wouldn't talk to me. Right after I articulated I was sent to the Hong Kong office for about nine months and then the Hong Kong office closed and so I was brought back to the Vancouver office. And it was when I came back from the Hong Kong office and the first six months, that's when I had real problems. I read it as nobody trusts me and nobody phones me and I'm not contributing. I was inadequate and riding on their shirrtails and I don't like that feeling.

2. For example, I made mention of this file where we saved a client a million and a half dollars. Now, of course the strategy we employed was mentioned, it wasn't my strategy, it was her strategy and I came to her and said, "Do you have any ideas?" and all she said were four words and so she was out of it because she was so busy and she basically washed her hands of it and she said, "Okay, you have my initial thoughts and I'm busy now so basically go away". So I did my thing and the deal had closed. I was just preparing the final reporting letter and the document binder.

Everything was signed off and she came to my office one day and she was trying to make small talk but she's very curious. She's also a control person and she likes to know what you're up to and I think she was on one of these recognizance missions in the guise of trying to be friendly. Anyway, I made mention of the fact that I had used her strategy and she just freaked out. She just freaked out totally. She was almost in tears in fact. She implied I shouldn't have been doing it, that I was too junior to be involved in this particular strategy. She said that I'm only an associate and I can't give tax opinions and who gave the tax opinions on the strategy and I said, "Well, the other tax partner was involved" and so she said, "Well, why did you go to him? Why didn't you come to me? It was my idea." And I really couldn't tell her that I went to the male tax partner because I like working with him better than her. That was the real reason but I didn't want to tell her so I said, "Well, you seemed busy." And then she said, "That's a pathetic excuse." I said, "It's all been done correctly. I liaised with the Montreal office. I liaised with the male tax partner in that group." I said, "It's all been done correctly. If you want, here are the binders, you can look at the documents and see." She said, "No, I want nothing to do with this file. I hope my name isn't mentioned anywhere in this file because I'm not going to take responsibility for something I wasn't involved with." I was just so shocked and she was so upset. And she said, "Well, I'm going to talk to the partner involved in this file," which wasn't the tax partner because the primary partner was a corporate commercial and I have a very good working relationship with him as well. I said,

"Well, it's not his fault. I guess I didn't come to you because you were so busy. That was my decision. You can't blame him for that." "Oh well, I'll talk to him anyway. I'm going to set him straight." So then she leaves my office and now I'm in a terrible position because it's like I've got the corporate commercial partner in trouble. As it turns out this particular female tax partner is very powerful in the firm. She brings in a lot of money and she's very powerful and so there is a pecking order among partners--they're not all equal. So I felt like I got this other partner that I really like in trouble with this woman and just felt terrible. It was a terrible day because the woman was so irrational. I just didn't understand what her motivation was. The female partner leaves my office and goes and talks to the commercial partner. I circled the office every half hour to see if she was still in his office and finally she left so when she left, I went to the corporate partner. I knocked on his door and he said, "Oh, I had an interesting visit." I apologized right away and I explained to him that I was trying to take responsibility for not involving her and he said, "You know, I just had to remind her that at the time she was very busy and she had actually told you to leave her office and to get somebody else involved. So I reminded her of that fact and she remembered and she acknowledged that at the time she was too busy and that she wouldn't have been involved anyway." That calmed her significantly and that got the corporate partner off the hook so he was fine. Now the female partner was happy because she could rationalize in her mind why she was excluded from the deal. Still it was bothering me that I didn't understand her

motivation because she's not motivated by... she doesn't care who likes her and who doesn't like her so I wasn't convinced that she was upset that I prefer him to her so I asked the male tax partner. His response was that she was upset that she couldn't bill any time to the file. It was her idea but she couldn't bill any time to the file because partners are remunerated based on how much time they post during the year and how much is recovered, how many fees they generate and she was cut out of the billable hours.

3. There is this client. He is the most obnoxious guy ever. He's an American who's living in Canada and he has a problem with the U.S. tax authorities, the IRS. I have a feeling that he may owe some U.S. taxes. He says not and although he's indicted in the United States, he says their charge is bogus and that he'll be successful in defending himself. Anyway, he's living in Canada and he's paranoid about the IRS ever finding out about his personal affairs so he's given us instructions to create a number of offshore trusts through which he'll do some estate planning for the benefit of his only grandchild. But, he wants these trusts set up in tax havens where there's secrecy. He's concerned about the IRS finding out about the existence of these trusts and somehow trying to get to him through attacking these trusts even though he's not a beneficiary, he's not even a settler. Anyway, working with this guy is quite disconcerting because first of all he keeps changing his mind and he apparently is a U.S. tax attorney but he's a bit out of date. I think he stopped practicing five or ten

years ago so he doesn't even know U.S. tax anymore. He's very difficult to work for, he tends to be a bit demanding and he changes his mind a lot. He wants a particular structure, he wants to change it that way, he wants to change it this way, and I don't have a lot of respect for him but we've done what he said we should do. But working with him, I'm very annoyed working with him. I'm not even convinced his motives are good. I mean fine, I don't care about the IRS but I've told him that if he's lived in Canada for more than 102 days in a year then he's a resident in Canada and subject to Canadian taxes and I'm concerned that he's not taking that issue seriously and doing things to prevent himself from being a resident in Canada and subject to Canadian income tax. Actually he should leave the country for half the year, that would suit me quite well. At the particular time that we were finishing this structure I was quite busy doing other things. I was dragged in on a corporate commercial deal and I had to go to Montreal and Houston so I wasn't going to be around and so there was another corporate commercial partner who is peripherally involved with the file so I handed everything to him, setting up these offshore trusts. Actually I set up the offshore trusts but he had to organize the offshore companies. He's a corporate lawyer and a partner to boot so I thought he could handle that and he's been giving me evil looks these days. So I chatted with this lawyer a little bit and he said, "You know "T", I'll never forgive you for giving me this file." So I know that even an experienced partner like himself is having difficulty and dissatisfaction with this client. At the time we were setting this up the guy was

phoning every five minutes and we'd talk for an hour and get nowhere and he'd tell me his life story and go on and on. You would try to cut him off and he just wouldn't shut up so I was happy to wash my hands of it and poor "K"...

Definition: I think it's a feeling. I don't know. Well, happiness I guess. Well, I think one way to calibrate job satisfaction is enthusiasm. If I'm enthusiastic it's because I'm very satisfied, I'm challenged by the work and I'm satisfied with my circumstances so I'm very enthusiastic. Enthusiasm is an indicator of job satisfaction. But how do I define it? I think it's intrinsic, it's how you feel about what you do and I can't say that there's a specific definition because it's emotive. It comes from within. I don't know how to define it. It is. I know when I'm satisfied at work but I can't define it.

Rating: Using a scale of one to ten, ten being good and one being bad, I'd have to say it's probably an eight.

Importance: Extremely. It's the only thing that's important. The money is nice but it's not what motivates me. I could be making more money and if I was dissatisfied I'm not sure that I would stay. I couldn't stay.

Participant 009**Enhancing Incidents**

1. Early on, I would not have been practicing for very long, a year or two maybe, something like that. I had a criminal client who was involved in a very common offence, some kind of dispute on the road where people drive their cars foolishly and get mad with each other and so I took his case to trial. I was defending him and he was a really nice older man who had probably got mad and we did the crown's case and what I did I thought I did well so that was good. And I made an application to the judge to have the case dismissed and the application was that there was no evidence on an essential element of the case for the crown and the judge said that he didn't think that was so but he said words to the effect that suggested to me that if I made what the alternative motion would be, an insufficient evidence motion, which requires the judge to weigh the evidence and then make a decision right then and there and you as a defendant or as a defence counsel give up your right to present a defence in that case but if you're confident of your position, and I wasn't necessarily, but I thought the judge was giving me an indication that I should make that motion so I did and the man was acquitted and he was crying outside the courtroom afterwards and I thought that my little bit of education had helped him and I felt good about that.

2. There was a time when the star biller who was the managing partner came to me and said that after six months that I was the highest biller for the firm for that period and that had probably never been so before and hasn't been since and is not likely to be something that happens too often for me personally because I bill at a fairly consistent level.

3. Another occasion would be when three new partners were admitted at the same time, myself being one and after five years or some period of time, we looked at the partners' billings for that period and I guess I mentally compared my performance to the other two guys who had been admitted at the same time and I was surprisingly very close to being number one. In fact, two of were almost exactly the same over five years and I would now be better than that person and the other person was well behind us. So, in terms of the new people who are not the senior people, it gave me some satisfaction that I performed as well as or better than the people who are at my level in seniority in the partnership.

4. On an ICBC defence case once and I was reminded of this recently because the handling adjuster who had that case, he and I were recently preparing for a two-week jury trial and for whatever reason he was constantly reminding me of the wonderful cross-examination I had done three years before. Now the fact that he was bringing it up all the time didn't... I was uncomfortable with that but I did like it when it

happened two or three or four years ago. It was a circumstance where there was a plaintiff who was just a liar and he had two claims, one of which I was dealing with, and I cross-examined him well and everything went very well and the guy was just destroyed. It was very satisfying. Justice "L" called him a liar. I forget the exact term he used, and he gave me judgement against the plaintiff which is kind of unusual on a defence file. I actually got an order that he pay ICBC back some money that he had been given.

5. When I went to San Antonio, I went to New Orleans at the same time and that's nice. I was able to combine business and pleasure and travelling in particular and doing something different I suppose, exposure to something different. So, San Antonio was a great city. It was fun to go there and I did a discovery down there of somebody from Australia and it was more convenient for him to fly to San Antonio and the two lawyers from Vancouver go down to meet him so that was nice and San Antonio was good and New Orleans was good too. I flew down there, did a little prep work, did a discovery over the course of one day, had dinner with the other lawyer and went out to a little jazz bar so that was interesting. You don't often spend quite as much time with the other lawyer unless he's your friend but we were the only two people we had there. I still remember having a piece of blackened prime rib that was the best I've ever had. George Bush was down there at the time campaigning and it was just fun.

6. I had a case involving a dump truck once and its engine and... No, no it was a tanker truck that collected waste, you know cleaned up septic tanks and that sort of thing. It had been sent in for repairs and there was a problem with negligence at the repair shop and so rooting through all the mechanics of that and how this truck came to fail was interesting and it was very satisfying. I was on the plaintiff's side and there was a big downtown law firm defending after the insurer for the repairer of huge trucks with hydraulics and other systems, and I was able to do very well. And my experts got on the stand and their experts were not qualified by the judge to give expert evidence and it was all very satisfying and I don't remember a thing about anything I learned but it was so far beyond what I normally do that I was able to for just a little while to just retain enough in my head to be like a little mini expert myself and that was great. That was really satisfying.
7. I spent many years working on a case involving the Combines Investigation Act as it was then called and it was a like a lot of little reported decisions as this thing made its way through the courts. We were in the Court of Appeal three times which I am usually not involved in things that go on that long. Any court action goes on long enough but this went on for many many years and it just involved issues that I'm not typically involved in and it involved negotiating with lawyers in Ottawa that work in kind of a specialized area involving this kind of competition act--they now call it prosecutions and they were very complimentary when it was over. The client was

complimentary. It was just all an interesting and different experience and it all started out with search warrant issues and that's what we spent most of our time dealing with because our client was being searched when it all started.

8. It's satisfying when I was out making arrangements to get whatever the little machine is that allows you to get the Mike Tyson and Evander Holifield fight from the video store and someone is trying to explain to me how to hook this up and I wasn't getting it but the lady standing next to me is hearing me talking and she recognized my voice and she's a client named "T" that I represented a long time ago and she remembered me and I remembered her case. And again, it was a little unusual for my practice at least. It was a human rights kind of tribunal thing where she had been sexually harassed at work and then she was a very young woman basically out at her first job and somewhat disillusioned by the fact that she was the lowest woman on the totem pole and the son of the owner of the place was causing her a lot of difficulty and she wasn't getting any respect and dad had a pretty deaf ear and the son was a real misfit and behaved as such. So, we got the highest possible which wasn't very much and it wasn't really the money because it wasn't a court action for damages. It was a penalty imposed by the Human Rights Tribunal. And so that was a good point and that was early on and it was reported in the newspaper and I saw her just the other day. You know, you don't always remember exactly what you did for someone or their name even sometimes when it's ten years ago but I remembered her and she

remembered me and she is a very bubbly person and she was very happy to see me and was again, very complimentary and thankful. And this was sort of a funny thing. I haven't thought about her... I'm sure that I've thought about her sometimes in intervening period but not often but she had remembered and her boyfriend or something, and I gathered they had a long relationship from what I learned, was out in the car outside and she was pointing at me and waving as they were going... and no doubt she had told him the story of course because it was an important event to her, to this boyfriend. And there's the lawyer standing outside of Roger's Video Store. And it was embarrassing but it was also kind of nice.

9. I had a client of mine, a very nice person who got involved in a horrible problem with a business partner so I helped with that. Then there was something else. Two of his kids were adopted and they had some problems there. I was camping up in Whistler once and they were camping somewhere up in that area and we knew we were going to be there at the same time and they left a nice note on our tent. You know, they were just nice people. But one day he said he had to come in and he wanted to come in right now, this afternoon which was fine. So, he's sitting right where you are and I'm starting to take notes and he says, "You know, this is kind of hard to say but I've got a problem arising from the sexual assault on my step-son. You know, I touched his penis at some point" and the story went on. And it wasn't a dramatic story as those things go but this guy.... You know, I would not normally

be in a position of talking to people about those issues, don't really want to but here's somebody who I had a slightly personal relationship with and he really needed help and of course he felt really badly about one, the allegation being true and he also felt badly that he was confronted about dealing with it in the criminal courts. And that turned out very well too in a day and age when people go to jail for acts like that and as well they should. He got a rather small fine because it was a very minor incident that was probably. It was impossible for him to explain and Dr. "O" explained it as best he could.

10. I had another client in today. He had a dispute involving an estate. His second wife had died and his children wanted him to pay money and he had paid a couple of bits of money that he probably shouldn't have paid but he was happy to pay. And now they were asking for five thousand dollars to cover the costs in Alberta of probate and having certain mineral rights transferred according to the will to these children of this deceased second wife. There was no reason why he should pay that. He was the residuary beneficiary under the will but he didn't get anything because there wasn't anything left over but he had got some things that were held jointly. So the children perceived that he got the lion's share of the estate but that's not so. They kept asking him to pay things and as I say, he paid some things and when he asked me about this five thousand dollars, I told him, "No" and I thought he was going to pay actually at some point and they were really hard on him in a very personal kind of way but it

was eventually, it took me a while to work up to it, I wrote a very mean letter and very vernally said why they weren't going to get paid and that they were just wrong to ask and that they were taking advantage of this person who, in a sense could afford to pay, was disposed to pay, but had no obligation to pay. He was very happy with that letter and every time he's seen me since he's said that. And the response was a very bitter letter from the children about how you didn't love our mother and all that jazz but they didn't ask for the money anymore which was all I had asked about.

Hindering Incidents

1. I remember before my first Supreme Court trial involving a construction issue which was like a problem for me because it's not my area of interest or expertise normally. I was nervous as could be the night before and it was much more extreme than anything else I've ever experienced. This is of course early on in my practice. It was worse than writing exams at university and that always... there was a lot of pressure associated with that but I guess that I had done so much of it and I'm glad that I don't do it anymore and I still wake up at night thinking, "God, I haven't studied for that course and I really should start because the exam is tomorrow", that kind of feeling. Even though I had that, which I think most people at university have in one way or another at different times. It was nothing like that. It was just far worse and it wasn't people's lives that were involved but... I wasn't a doctor operating on their brain or something, but it was this feeling that it was their money

and it was very important to them and I guess that everybody only has so much money, some people more than others, and what I was dealing with for these people was a significant sum of their money--their whole worth which is a fundamental to them and their family and where you are in our society and what your opportunities are. I paced a lot and fortunately I wasn't in my own mini apartment. I was at my girlfriend's home because her parents were away and I had this huge house in Pitt Meadows where it was like a football field from one end to the other and it's a long straight house and I just remember going from the bedroom at one end to the fireplace in the living room and I could just walk. And I was just pacing and I was thinking about things. You know, you're not really well prepared in terms of dealing with the rules of court and the rules of trial except that you do learn about evidence at law school. I must have always been late for that class or something because I thought I knew nothing about evidence as I was confronted with the trial starting the next morning and there's just so much uncertainty in never having done it before and not knowing what it's really like. It wasn't just the case, just the whole procedure. I was concerned personally about blowing it, looking stupid. You wouldn't want that to happen but it was more than that. It was how doing something dumb would affect your client.

2. There was particular instance of that where the senior person whose name was "M", who I was... he's now retired. I was very close to him and he was very good to me

and I hoped I helped him well over the years. At one point, of course our relationship, you drift apart at some point too where you start doing more things on your own. But there was this case involving this old client of the firm I guess and "M" was the kind of person who had old clients who, the more business oriented people, that you wouldn't want the firm to have and this guy was a classic example. I think he was not a particularly honest sort of businessman and I just didn't like him and I hadn't had much dealing with except there was this problem that... the lawsuit involved the client, "B", suing "M's" former partner's estate and somebody else and I remember taking a chamber's application and the judge said, "Well, you should go back to the office and tell "Mr. M" that maybe he shouldn't be taking this case as counsel" because the legal work that had been done in connection with this contractual relationship involved our law firm. And I don't know that anybody should have been taking the case but it certainly should not have been "M" but because it involved all of these people that he had been intimately involved with professionally and in business and over the years, he was going to deal with it because he was very knowledgeable and wrapped up in it and blah, blah, blah. All the reasons why he shouldn't have been involved. So on the eve of trial he asked me to take it and I did and it was a week long trial or more that was just an absolute nightmare because I was very poorly prepared because I knew nothing about it and I think the case was not necessarily well prepared by the people who had dealt with it before and there were three lawyers on the other side and I had a lousy file and

perhaps a lousy case and we lost but it was just the most miserable week or two weeks of my life it seemed. It was a lot of responsibility, it was a difficult case, poorly prepared, three lawyers on the other side, the one lawyer was a QC at the time. It was very satisfying in the sense that he cross-examined my client at the outset of things and did a horrible job so the QC was out of there but his junior who was much senior to me and the junior is now a Provincial Court judge, he did an excellent job and he had obviously been doing all of the work. If I had juniored "M" in the preparation I might have been able to step in and do my best but I did a poor job and I was getting hit with things that I had never confronted before like an application for a non suit which would have resulted in my case being dismissed after I presented my evidence which I thought was kind of a put down that could happen, that your case was so lousy that we don't even have to defend it. That I succeeded in defending. Justice "T" got a little bit irritated when I didn't want to start making submissions at about three in the afternoon after putting in all of this time. Justice "T" was not the sort of person who would get mad normally but he did get mad at that and I thought there was nothing else I could do except simply say, "I'm just not ready to do it right now". I was hardly prepared for any stage of it because "D" had met people and talked to them and I hadn't and it was just a crummy experience. And it was all for a real dod of a client.

3. A group of people that I represented in connection with some work that was done on V.I.D., a marina. These people, the well off person behind our side of things who was being sued basically for not paying his bill for this work. He seemed like a nice person at first and his underling who was the reason for the referral to me, seemed like an okay guy and then we did the trial over on the Sunshine Coast. There was some kind of pre-trial conference by telephone before and I applied for an adjournment and I thought that we had a good reason for it but we didn't get it but the thing was there was a judge over there for the week on the Sunshine Coast and I was here applying for the adjournment by conference call and the other lawyer was there in front of the judge in his chambers and I felt a little uncomfortable about that and I didn't succeed so that was fine. So I went over to do it and the lawyer pulled some kind of fast one and he was right at the start of the trial and it was his case. He was, in the first minutes of things, a little more prepared than me because I'm dashing in with my briefcases unloading stuff and he's been there all morning and so I felt a little uncomfortable that I was walking into somebody else's forum here and it wasn't like where I normally go to court and I wasn't that confident. The lawyer said to me early on, "The bar over here has a convention of going out to dinner with the judge who's here for the week and I intended to do that and you're welcome to come" and I'm thinking "Yeah, it's the last thing I'm going to be doing tonight because I have work to do." "I won't go if you don't want me to." I don't know if he offered that opportunity. But I was getting increasingly uncomfortable with the

idea that he's going to be out to dinner now with the judge and I'm not going to be and I just really didn't think I should be changing my own plans out of concern for that but I was getting suspicious. And then there was something, and I forget what it was, but this lawyer and I went outside to talk about it and he had put a witness on the stand and he, I just forget what it was, but it had been the subject matter for chamber's application. This individual wasn't disclosing information to anybody and I think he was somebody who had been in the employ of my client or somebody who had developed plans for this marina, I just can't remember it. Anyway, whatever it was, the lawyer had some information that I didn't have and we went outside to talk about it. And I remember standing outside, the rain is coming down, he's having a smoke, and he looks me in the eye and he says, "I hope you don't think that I got this information improperly, that I did this because I did not." I said, "Fine, okay." Walked back into court and the first thing I asked this witness on cross-examination was basically, "Did you give this information to this lawyer by this improper means?" and the guy said, "Yeah." And the lawyer had lied to me outside the courtroom, looked me straight in the eye and lied to me and that really bothered me in addition to everything else. I was just really shook that somebody could lie to me like that. He knew exactly what I was thinking and I was absolutely right so I put it to this witness and it didn't seem to bother the guy at all. So, I was in the library, they have a small little library in the middle of the courthouse and the lawyers and judges seem to have access to it as I recall, and I was really burning about this and I think the

lawyer didn't understand because he just didn't know any better or something. I was trying to find something in the professional conduct handbook that would show him why this was improper what he had done and denied doing it and of course on the other hand I thought because he had denied doing it that he understood that there was something wrong with that. But I'm fuming about this and I think I was going on about it when there was a judge in there which was unfortunate and the judge was his wife which was even more unfortunate. But I really felt as though there was something wrong here. Everything seemed to go wrong. The rich client arrived late by plane because he could only spare so much time and his evidence wasn't that good because he was too arrogant. I had a witness who was a real labourer of some sort and he led me to believe that he didn't recognize somebody who had represented themselves as being in charge of the work that was done on the plaintiff's side so I marched him into the courtroom to see if he could identify this guy in the witness box which was kind of an unusual thing to do and he was just wrong and he had forgotten this guy. And then my good client who was the source of the referral, he didn't do a very good job and by the time we were all flying home, it's like people are wondering how did it go and I'm thinking, "God, you were there. It didn't go that well I don't think." I don't know, I think that I did the wrong thing, I may have tried to put too much positive spin on it because I didn't really want to insult the person I had the connection with who was a lousy witness. Well, both of the people I was talking to on the plane were lousy witnesses and the last guy... The first guy just

didn't get it and was too arrogant and the second guy, who I had some connection with, he was just a lousy witness and that was hard to tell him. So, when we lost these people feigned shock. The rich arrogant guy phones one of my partners, the most senior person at the time, and says is there something wrong with me, like something very insulting like he was telling us it was okay and perhaps, as I say, I was not as negative as I should have been on the flight home and now we've lost and we're totally surprised. But of course you're totally surprised because you just don't get it in a way. And then, he wrote a letter to the Law Society saying there was a conflict of interest between the two principals, himself and someone else and I represented both of them and I shouldn't have done that. Fortunately, I pointed them out to them at the beginning and had written them a letter about it and the Law Society just told him to get lost but that's the first and only time that's happened and that was a very big frustration so it was sort of a nightmare in many different stages. Later on when he's trying to appeal it, which in my view at that point is only further delaying the payment that he has to make. His new lawyer is asking for cooperation and it's like you have to cooperate even though it's the last thing you want to do.

4. There's a well known lawyer out this way who, through a combination of, certainly mischievous, maybe a lack of confidence in some areas, is just incredibly difficult to deal with. He is a nightmare and everything is like pulling teeth. He's just beyond control it seems to me. Yeah, so control is a big issue. You want to predict results

for your clients and achieve those results within the range of expectation. You want to do it in the most direct route possible and have that kind of control and that's what your clients want you to do and that's what they expect you can do because they think the law is very simple and it only involves one result but it doesn't. The movie might turn out many different ways and you have to watch to the end to find out how it actually does finish up and this one person makes things very difficult. And I think we have a pretty good relationship and I sort of enjoy dealing with him in a way but sometimes it's very frustrating. Just as an example of what I think of as being kind of childish contact but what I think is a good example of how unusual this individual is, if you serve things after four p.m. or deliver them to someone they're deemed to have been delivered the next day according to the rules of court so this individual, we were on one Friday faxing material to them and it was going past four. I don't know that four o'clock was a big issue on that day or about what we were faxing but anyway, he instructed his secretary to pull the plug on the fax machine. So, it's like you phone them up and it's sort of like, "Hello, so did you get it?" "Yeah, we got ten pages." "But there's twenty." "Yeah, I know but I was told to turn off the fax machine. You can't send it to us now." It's like you just think that the guy is sitting in his office going "Ha, ha, ha." It's just so childish because whatever it is I was trying to send, whether I'm doing something real good or not so good or just average, he's going to have to deal with it on Monday. I immediately started to tell everybody else in the office what he's done this time. I probably just realized it wasn't that

important that he turned off the fax machine and not get it and it wasn't that important that I get it to him.

5. I can think of a case I settled, probably about December 1995 and I got the referral because of a case that I was involved in that was reported in the newspaper and the appellate decision was reported as a case in the Law Reports and I got the referral because I should know about this issue. In that instance, I think I knew something about the issue because I had been involved in it but I also thought on that occasion Justice "T", by the time it got to the Court of Appeal, had forgotten what I had done in the previous case where I'd had a bad experience taking "M's" case in front of him. I think that Justice "T" and the other two judges were very helpful to me in the Court of Appeal and that they understood better than I did some very complex issues and I got a good judgement. So now I had a possible reputation of knowing what I was talking about and I wasn't so sure that I knew as much as everybody thought but anyway I got this referral and this was fine. It was a construction case and I was defending the builder of a home and that builder had built a home, sort of a Vancouver Special, many years before and now there was a problem with it and a question of whether or not it was his fault. He was a nice European man who had been building homes for many years and never had this problem with the foundation work he had done. He's a real nice guy and I'd go over to his house and we'd have dinner there and the whole family would be there and that's how I would get my

instructions and they were very formal in a European kind of way and they were always very nice to me but eventually as time went on, as I talked to an expert engineer and did some horrible research in by-laws that applied twenty-five or twenty years before, whenever it was, I had to tell him that maybe what he did wasn't the right thing yet he wanted to fight about it because he had never had a problem and he could have maybe, possibly defended things but I think he had done something wrong, our engineer couldn't have helped, they had a lousy expert on the other side who had a problem at previous judgement that would have been good for cross-examination and yet I think that the bottom line was that my guy had done something wrong. Now, he might not have been liable for everything that was being claimed and we affected a settlement that was a good amount and he could afford to pay it but he felt tainted. I think it was better too that he made a settlement for fifty percent of the claim rather than have a judgement against him where everybody could read that he had... That would have been out of proportion... the impression that might create is about his skill and competence as a builder of homes. It was just the right thing to do and I just felt that the family might have not got the whole idea so it was his wife who dropped off the final payment to me. Actually it was probably money for me and money to pay on the agreed upon settlement and so I had come to know her and she was a stand by her man kind of woman and she gave me the money but had to say something about this, "I really wish we had, blah, blah, blah" and I say, "But, but, but... we've been through this conversation before" and she goes, "I know, I

know" and leaves and I think, "She does know why they settled" but she doesn't agree with it and they wanted to fight it and it was a personal thing for them that it was impugning his skill and it had to be looked at some other way. I was talking to their son in the last three or four months and just wondering what he was thinking. Did he think on reflection that this was the right thing or were they always thinking it was the wrong thing?

6. Another bad day was when we were having a dispute about a bill, "M" and I with a client and the client, one of them, who is an accountant, said, "Well, but all professionals pad their bills" and I wanted to reach over the desk and strangle him because that may be what you do but I don't. I hated to be tarred with that. That's what we were talking about, the idea that our bill was too much. Well, that's fair enough. I wouldn't want pay it and maybe there is something we can talk about and certainly we would be prepared to compromise and we're going there but I thought that was insulting and untrue and he meant padding in terms of the hours recorded for the work, not just adding some money to the amount of the account which, as I understand the law, lawyers are allowed to do depending on the nature of the case, their own experience, and whatever. But I found that hard to do anyway and I found what he said insulting and I didn't like that.

Definition: It takes a lot of your time so you want to be engaged in things that are interesting and where there is a purpose. I think the purpose is helping people to put it real simply and I think another thing is to be well remunerated, or fairly. I would hope I suppose to earn more money than what might be average. I don't know. I said before I'm not going to make myself rich as a lawyer and I'm not. But I would like to think that I would be well paid because I put a lot of myself into it and because I want to have the opportunities that money can buy like most people in our society do. I think it's all about rewards really because it is so much of a commitment of my time and my life. Basically all we have is time to deal with either to use or enjoy or just sell.

Rating: I didn't know at first and I said that somewhat along the line and I'm not sure I do now but I think maybe I realize that I'm more satisfied than I might have thought because I do have a... at least perceived by my conduct. My conduct would indicate that I perceive that I have a lot to complain about because I think I do but yeah, I think I do have something that interests me to varying degrees throughout the course of a day or a week. Some of it is absolutely incredibly boring stuff but some of it's interesting, some of it's challenging and I think that's just the same thing. There's a certain competitiveness to it which is nice and that's sort of a surrogate for your own competition as you

get older and put on weight as I have. You're less competitive in your other sports or activities so that's good. It does allow me to help people in big or small ways and that's certainly variable from file to file but sometimes they're the good experiences that I've identified and I think the partners in our law firm earn a little bit higher than the average for partners in Vancouver and that means that we're not well off but we're in a comfortable range and so I went to New York recently and we spent a lot of money but we didn't do anything that was really extravagant. We went to Saks on Fifth Avenue and I was scared at all the prices of the things but I got a chance to go there and I can't afford to buy a lot of stuff in that store but I did get to New York City and not a lot of people can and that was nice and I did everything I wanted to do there so I have those opportunities.

Importance: Well, I think it's fundamental because it takes up so much of my time. I guess it has to and for most people, if they are able to work and have the opportunity to work, it takes up a large part of their life. So that makes it very important just because of the amount of time. That's such a limited resource that it has to be satisfying. It's very important.

Participant 010**Enhancing Incidents**

1. I'm thinking of a client who was charged with driving while prohibited and had a trial and had a very real defence--he wasn't driving and very good reason why he was charged because he did something very foolish. He got behind the wheel in order to protect his girlfriend who actually was driving. Preparing for it was a difficult matter. I had a couple of disputes with the client which I managed to get resolved and then had a trial and at the end of the trial when you give evidence for the defence, you stand up for your summation first. I stood up and said to the judge, "Well, this is obviously a question of whether you have any doubt about whether or not the client was driving." The judge said, "That's okay, Mr. "K"" This is a good sign when you're cut off by a judge. "Let me just hear from your friend." And the crown stood up and said, "I have a reasonable doubt" and sat down. That was the crown's submission so it was clearly a win and the judge acquitted the client and also said something nice about the client. He said, "If I'm wrong and you were guilty, I think you'll feel worse about it and you'll punish yourself." And then he said, "And thank you Mr. "K" for your preparation." I mean that was a really good day. I did a lot of work and got the best possible result for the client and it felt good.

2. Very recently I got a thank you note the other day as a matter of fact. It's nice getting a thank you note. It doesn't happen very often but it does happen. The client was trying to sell a car, signed a contract to sell the car. The guy was going to come up with the money by the end of the month and it got delayed and it got delayed and it got delayed months. The client still had the car and he still had up to three thousand dollars of the guy's money. It was a cadillac, ten thousand dollars was what it was supposed to be sold for. So, I got involved and sent the demand letter saying either put up or you're going to lose your deposit and got the weirdest response which was, "Oh he's dead" and it got ironed out. The car was bought by the widow of the dead person and the actual signing of the last pieces of paper happened right here. And of course it was an intestates and you know, I'm thinking, "The kid's going to sue my client because he sold to the widow" and all those sorts of things that keep a lawyer awake at night. It worked out pretty well and I rendered my final account and give a few dollars back from the retainer and got a thank you note.
3. A recent pair of transactions that I acted for some other clients who were purchasing down in the Sathsoo Shores, purchasing a leasehold interest. It's the place that's down near the ferries which is just so full of controversy. This particular pair of clients, husband and wife, they were going to buy a unit that was in the name of another party but it was encumbered by whether the in land registry versions of the certificate pending litigation. We basically custom did a contract to try and deal with

that problem and negotiated back and forth and back and forth, drafts of contracts went back and forth and ended up not completing that transaction and they turned around and bought another unit on a very quick completion unfortunately directly from the developer. So, two transactions, one of which didn't come to completion which I billed for and another one which did come to completion, it was quite a rush completion and they were very happy. Now, they paid me a fair amount of money and I think I gave them good service and they got a lot of advice and they got this much paper but what was critical to it being a satisfying experience for me and a satisfying experience for them was that they weren't worried about the money.

4. I was and am on the courthouse user's committee for the Delta court and in 1994 was when everything came to fruition. We moved to the courthouse from a portion of the old police station building into where it currently is which was the old municipal hall. And that involved consulting with the architects about the redesign of the building and redrafts and cost cuts and all that sort of stuff and eventually getting the new building opening and having your opening ceremony and it was neat being able to speak to the public and what was particularly enjoyable was the Attorney General was there and this was right in the midst of all the fuss about legal aid going to just a staff lawyer model which is something that I don't agree with and the Attorney General had a large part and was taking that position so I got to talk about the value of the choice of counsel with the Attorney General sitting to the right of my shoulder. The Chief

Judge of the Provincial Court was there and I was standing up there as the defence bar representative from the community and that gave me the opportunity to thank staff at the courthouse for what they had done and I got thanked more for thanking the staff than anything else.

5. I made a conveyancing package computerization that basically I did because I like fooling around with computers. I've got a work in process conveyancing set of precedents that use the merge function that have logic built in if you've got one purchaser it reacts differently than if you have two. I like working with things like that so that's fairly satisfying.

6. I did a very long trial relatively recently. A young offender charged with assault causing bodily harm and there's a whole bunch of case law about whether or not you can consent to a fistfight and with relatively recent Supreme Court of Canada decision saying that adult's consent doesn't matter. Just because you agreed to fight, we're not going to encourage people. In that case there was a caveat that said we're not necessarily saying that this applies to young people and there's a bunch of Court of Appeal decisions in various provinces, how the Courts of Appeal dealt with particular fact situations with people who are young offenders, whether or not they do allow for consent. I had a case which went to trial forever because of forced adjournments and that sort of thing where my client, who was young, shattered the jaw of someone who

was a client, and said, "This was a consensual fight" and there was disputed evidence about all that. So there was a lot of research and it was interesting. It was a legal point that wasn't necessarily settled and as is usually the case, there was nothing exactly on point, exactly that same fistfight. So, you're doing the research, you're gathering information about the evidence that may be available at trial. You're thinking of the questions you're going to ask your witnesses, you're thinking of the cross-examination that you're going to do to the crown's witnesses. So, the research is part of that process and that was satisfying and interesting.

7. Another example which was actually tremendously long case I did a very long time, a client ended up pleading guilty to counterfeighting money and as far as I know, and I haven't really been following it since, it was the only case in Canada where the printer didn't end up going to jail counterfeighting and I managed to get probation for him. He was a serious alcoholic who was basically the... the people who were the head of the ring just fed him just the right amounts of alcohol to keep him enslaved. He's very much a victim and he's certainly not the governing mind. And what really swung that was I managed to get the sergeant in charge of the investigation to give evidence on his behalf at sentencing and that was before the Madam Justice "H" and she said, "This is the first time I've ever seen this."

Hindering Incidents

1. I was sharing office space with another lawyer who without even talking to me about it, hired away my staff member. I knew he was looking for someone. He didn't even lean in the door and say, "Gonna talk to your secretary." She was working for me at the time for three quarters of the day and one quarter for him. He just interviewed her offering the job. It wasn't much of an interview but he didn't even have the courtesy to lean in the door and say, "I'm gonna do this."

2. I had one deal that went incredibly awry and I ended up getting sued over it and that was an extremely bad experience. Out insurers say you can count on getting sued at least once every six years, I think is the figure right now so it's really a cost of doing business. But boy, it doesn't make you feel very good. I had screwed up on something and he had good grounds to complain. It got settled for probably a little bit more money than it should have but not much more. It was certainly my fault. I made an error. It makes you feel lousy, it really does.

3. I can think of one guy that I represented that got a longer sentence than I thought was fair at the time and since then I've become a little bit... I was a little bit optimistic at the time. I'd given him some advice about what I thought the result would be if he pleaded not guilty and it would be within this range and it might be as much as this at the most. And the judge sentenced at the most and I didn't think at that time

that it was particularly likely that he would get the most but it probably was. Certainly, not surprising now.

4. I had one staff member who was a mistake right from day one but it was still difficult dealing with. Nothing in law school trains you to do any of this. No business training in law school. And when I finished my articles and was called to the bar there were no jobs around. I was looking around for work for months and ended up out here because a lawyer I knew was dealing with a lawyer out here who was looking for a young lawyer to share office space with so I had to set up practice and that was the lawyer who hired the person out from under me actually. I have a very little tiny bit of experience in business but no real training.

Definition: I can sleep at night. It's really hard to do. Because if you try to do it by examples the different things that are satisfactory vary so much. You know you're satisfied when you're looking forward to going into work, those sort of practical measures. I guess again, when you've done something that you feel has been creative and that can be in the context of making a deal go, can be in the context of obtaining a good result for your client, can be in the context of solving an office problem, having things work well.

Rating: Low to middling.

Importance: Yeah. I think if you asked me the question whether I would do it again, I'd say no.

Participant 011

Enhancing Incidents

1. I remember quite vividly when I did my first hearing and was very very panicked about that and felt that the hearing went well although I felt that I had number of different mistakes but also was told by the partners after that the client had called and said that I did a very good job. And they basically retained me for another case.

2. Being able to go for help. I think that is the one real strength in this firm and is maybe why I enjoy my job maybe more than some of my other colleagues in other firms. I think that this firm has more of an open door policy and can always go to the partners for help and I get a lot of it which is really important when you're first practicing or practicing in a new area. For example, today this thing that I'm doing is quite new to me in this area and I've just never done this type of application before and I've been into the partner's office or buzzed him at least three or four times within about, I got this at two and it's now four twenty and I've met with you about

five to four so that was in less than two hours. Buy anytime a question comes up I just buzz.

Hindering Incidents

1. Even today, I'm in the twenty percent range of my practice and it's just different. I have to ask a lot of questions and it's a little more stressful.
2. Like I was planning to home and have a bike ride tonight but I'm now going to be working instead.
3. Something I've noticed quite recently that I don't like the whole focus on if you have family, there's all kinds of, or at least not all kinds but definitely an overstatement. There's some flexibility for at least the women in our firm who have families in terms of working a four day week or three day week whereas I can't imagine going to them and saying, "I'd like to work a four day week because I don't want to work fifty to fifty-five hours every week. I'd rather be on a forty-five hour week."
4. Circulating our hours. We have billable targets. You probably heard that before and I don't know how many firms still do this but this firm does. All the lawyers in the firm get all the other lawyer's hours every month so it breeds competition and that's exactly what they're trying to do. You know that, they know that. I complained

about it. I'm not the only one whose complained about it but nothing has been done about that. I was basically told that's the way it was when they were associates and we see their hours and not much. And I haven't raised it recently. I raised it when I first got here because I was shocked that this was happening. Maybe I should raise it again. I've had other little things like I'm trying to get this leave of absence which has now been approved for the fall and what have you so I've had other issues that are more important. You get a sense that you only have so much power and you can only raise so many things at a time. So I need to put it on the back burner for another six months.

5. I had a meeting with the partners about vacation time. They will not change it. They gave me basically an exception last year because I was so upset about it and was trying to plan my holidays and wanting to split up a week so they let me do that but they made it very clear it was an exception and not general rule. They were keeping that policy in place.

6. I'm taking a leave now. I was told little things like my vacation would not accrue during my leave which maybe sounds reasonable to some people but I don't think that it's telling you that they have a long term interest in you or care about your further education. It's an educational leave. I said, "It's an educational leave in the area of labour law." I said, "I'm not taking off two months to go study aromatherapy." So,

anyway I think they've come around on that and they're not going to take away my holiday time but the fact that I had to fight about everything instead of them just saying, "We appreciate the work you do here" and just granting me those little extras would create a lot more loyalty in me.

7. This year I'm taking all my vacation in one block and next year I'm planning to do the same thing so it's not... I'm not fighting about it because it's really affecting me that much, it's more on principle. I don't like being told that I don't have that flexibility.
8. When I was articling I got a complaint from my client and that was quite devastating but that was in a different firm and the partner was very supportive of me at that time as well. That cushioned it a lot and I think you need that because you're bound to get complaints when you're first starting because you don't know what you're doing. They teach you about the law but they don't teach you how to be a lawyer in law school.

Definition: I guess it means I'm happy, not too stressed out. I expect a little bit of stress in this job so I wouldn't expect not to be under some sort of stress but I guess... My number one thing I guess would be that I enjoy the actual work and I enjoy the people with whom I'm working. But then, the stress levels are

a big part of whether you enjoy work because if you're too stressed out, it's hard to enjoy it.

Rating: I would say that I'm very satisfied with the actual practice. I mean there have been those employment issues... But probably on a scale of one to ten in terms of practice I would probably give myself probably a nine in terms of satisfaction. In terms of the actual work relationship I would probably give myself down at a six or seven. I'm moderately happy. I do have my concerns but I can't say that I'm really unhappy. I think some people are and I'm not in that category.

Importance: It's very important. I spend most of my life working so...it's extremely important.

Participant 012

Enhancing Incidents

1. A really satisfying moment for me was when I got a new file in, had all the materials in front of me, a blank person, my dictaphone and just having time to sit and think about what needs to be done, and the most effective ways to meet this client's needs. So, that two hours or one hour of sitting there and strategizing and making lists of

what needs to be done and who should be doing it, that's a really great moment. That was the moment when I feel most in control of the file because after that it became a ream of variables.

2. A few months ago I was working with "TR" whose the senior partner in the group with a very high profile but difficult, difficult client and we'd been working together for months and at a very crucial part of some litigation at the Labour Relations Board "T" had to leave and I was kind of left holding the bag with again, it's a little trio of high profile clients and a big head honcho from the Labour Relations Board and union counsel on the other side and you could see everyone looking at me thinking, "Oh my god, this poor woman has been left in this position", feeling a bit sorry for me and it went okay. It really went okay and during that day I had one of my clients acting abysmally. He was clearly challenging me because I was a young woman and he didn't have confidence in me and he was sort of making snide comments. So, A) the hearing went very well but B) I took him and his little friend out in the hall and said, "Listen...", played the tough blustery lawyer he wanted to be me. I said, "This is bullshit and stop acting this way and you're not doing yourself any good" and whatever. Had my words with him. That was effective. The hearing was effective. And then the board, the guy at the board who I was in front of knows "T" very well, he used to be a partner here, phoned with many accolades about how that had all gone and "T" was very good about coming and telling me that. That was a good

day. I just thought that the board thinks I'm okay and I exist on the labour law map now.

3. Recently, I received files directly from our larger clients. We act for the universities and the hospitals. And I got a file that was sent especially for me as opposed to sending it into one of the senior people and saying, could they assign it.

Hindering Incidents

1. I had a situation last week where I was acting for clients who turned out to be less than honest and I was in a position where I couldn't withdraw from the case. It was too late in the day. I was in this really awful position again before the Labour Relations Board, concerned about my reputation there. We have a very moderate, no union bashing kind of reputation around here. So, I was up in front of the Board with people I thought were complete assholes and I was having to defend their interests to the best of my ability and I was hating it, absolutely hating it. They were less than honest and I was really uncomfortable being put in a position by my client and indirectly by the department, it was sort of a client who came in through the back door, we had no idea they were like this and I just felt really compromised as a lawyer. I'm not very willing to go out on a limb and do the types of unethical things that some lawyers will do them or will cut a little closer to the edge. It's just not my style. It's not the department's style and I felt really uncomfortable with that.

2. I had a lull about a month ago. Not a real lull, I mean I was down to working eight to five, eight to six and one of the partners in the group who I've always worked very closely with and I'm trying to wean myself away from... I was chatting with him kind of as a friend. We were sitting around sort of shooting the shit after work and he seemed truly swamped. There were piles all over his desk and I mean I was busy, but it was six o'clock, I could have gone home and I said, "Is there anything, can I help you out? You seem really in a jam." "Oh, yes" he said. He had a very complicated statement of defence that he needed drafting and he'd promised it to the client a month before and it was due, and it was due next week and could I help him out? So, I did help him out and I can just remember I spent half a weekend sitting at my kitchen table. It was incredibly complicated, I worked through it, I did a great job on it. I took it to him and then for various reasons the client didn't approve it in time and the lawyer on the other side was yelling at us, threatening that if we didn't get the statement of defence to him he was going to be very unhappy. And in turn the client was very unhappy saying, "Why are we up against this deadline? We sent you these materials a month ago." So, I truly was caught. I had a lawyer on the other side yelling at me saying that my conduct was arrogant and irresponsible and a client saying pretty much the same thing. So, meanwhile this statement of defence and all the work goes out over this guy's name so that was really hard for me. Most partners aren't like that. They wouldn't let you get caught in that situation but this partner would and there's nothing I can really do about that.

3. One woman, she drove me insane. She called me two and three a day. I pulled a big severance package out of the hat for her that she really didn't deserve. She hadn't been working hard to get a new job and there was nothing but complaints at the end and I probably spent as much time fighting with her over her bill as I did providing her with advice. And I distinctly remember, she was one of my first clients so I wrote down the bill before I even sent it to her and yet there's this woman haggling with me over the work I had done. It was very hard then to keep my professional demeanor together when all I really wanted to do was just yell at her.

4. Earlier this year, when was it? I find I really ebb and flow in this practice and so for me it's either 150 percent or 60 percent and a lot of people work that way. I was going through a really hard time. It was in January or February for about a months I guess. My billings were down, I wasn't doing great work, I was really frustrated with myself. That's something I've just never really had to worry about. My work is good and that's great. And I knew it was slipping a bit. I knew some of the things I was producing for people wasn't great. I didn't quite know what to do about it. I was making the decision, I've since made to leave the practice and the last thing I needed was people breathing down my neck. I just needed a bit of space to explore that and I had a couple of busybody partners come take me aside, take me for lunch and say in a semi-nice way, your attitude sucks. Snap out of it. We want to

produce, produce, produce. We want the hours up. That's it basically. And there was no real space for us to talk about what was going on for me.

5. I can remember a period of a week when the woman partner was working on a very complicated opinion. It was very complicated and she's notorious for giving poor instructions. So, for a week I was going around and around and around, and researching, and talking to people, and coming back to her for further instructions and I was getting nowhere. And everything I produced was wrong and it was stupid and she didn't understand what was going on. And I reached a point by the middle of the week when I just thought, "I'm stupid. I'm unhappy." I was crying in my office. "I have to quit". And someone intervened and pretty soon I had the whole group except for her saying this whole thing has gotten out of hand. What's your problem? She's just stressed out. She doesn't mean it, quack, quack, quack. And lo and behold the next day she came in and whatever case had settled and she said, "I'm really sorry about this poor behaviour. It wasn't your fault." But that takes a lot out of you. It takes an awful lot out of you to have that kind of pressure and stress. The client's needs need to be met right now and you're not meeting them and you're getting the wrong answer and I can't tell you where to look for the right answer.

Definition: Wanting to come to work everyday. Having interesting, challenging work. On the go all the time. And having a lot of support.

Rating: I'd say two good, two bad, one okay. That's how the week pans out generally. This is an okay job and this an okay firm and it's a good department. Basically my difficulties with my job are my own difficulties. It's not their difficulties. I really do accept that. In some ways that's a cop out because I have no interest anymore in changing the profession or making it different for other people. I just want to leave.

Importance: Very important. Very important. I'm in this particular area of law because I think work is just such a big part of people's lives and having meaningful work is so important to people. Meaningful defined very broadly. And so it's struck me as ironic that after all this time that I don't find the work that I'm doing particularly meaningful to me. It's good work. It's fancy work. If the president of UBC wants to phone up and discuss some issues... There are a lot of people that would be meaningful. That's big. For me it's not meaningful. Winning some big court case doesn't mean that much to me. It doesn't excite me so that's why I think I have to move on.

Participant 013**Enhancing Incidents**

1. In December of 1996, last December, it was a very complicated trial. It was a small claims trial but it was still quite complicated in that the adjuster said, "Don't give this guy one penny. He is a scammer." But I had to show that he's a scammer and I went to trial and did tons of work, but it was very enjoyable because you're finding out all of this about this person. And I really doubted that I could put it all together but I did. I pulled it all together and I won the trial. It was a really good feeling for me because I knew I was doing well, and my boss came in to me and said, "I want to shake the hand of a winner. You've done excellent work." I was thinking it was so great to just... sure you did a good job but to have somebody recognize it.

2. About a month ago an adjuster who is my client, and I met with plaintiff's counsel in his office, discussed the issues of the file and we settled it. And I just knew the file inside out and was actually telling the adjuster things and that made me feel really good. And at the end of it he said, "Well "M", another excellent job." I settled it for a really good, fair price that both sides could live with and I knew myself and I think that was important to me.

3. At Christmas time our office manager had a party at her house just for everyone at work. And we all went there and it was all women. You know, we're all women and we're all sitting around and we're gabbing and we're talking and it was a real sense of camaraderie. And I remember feeling, "Wow, we all get along so well and no one pulls any power trips here" and I remember feeling then very lucky to work in this sort of an environment. At the Christmas party I realized that I have a pretty exceptional work environment. All women, younger women.

4. I was pretty happy today. This is going to sound kind of shallow but I like it. We've renovated our offices. They were sort of dumpy. I've just moved offices and now I have a window and it makes a huge difference because I used to be in a sensory deprivation room I used to call it, no window. But now I have a window and nice bright paint on the walls and it makes a big difference. The sun was shining in my desk today and I was sitting there doing my work feeling very content.

5. I told you that I used to do the young offender work and I was always in front of one particular judge in Burnaby Court. I was in front of him probably three times a week for about eight months. And I went to a judge's dinner about a month ago and I said, "You know, I'm not going to be doing the young offender work anymore" and he goes, "That's a shame. You did a really good job." That's nice to hear from a judge

and I thought, "Wow, maybe I did some good for these kids" even though they'd go out and get into trouble again.

6. I had a trial about a couple of months ago and it was a whose fault is it motor vehicle accident trial and my witness was not cooperative. I had to subpoena him which means I had to actually force him to be there which is not good if you have to force someone on your side to be there and we lost and the judge yelled at my witness or something, and I remember thinking, "Oh well." There's a risk and I told everybody the risks that were involved using this witness but I would try and I just walked away from it and never gave it a second thought. Even when the judge yelled at me, I didn't take it personally. Because I saw him three days later and he was fine, as if nothing had happened.

7. When we were at a party and I was talking to someone, an older man and he was really condescending and calling me dear and blah, blah, blah, like you don't know this. I guess that I have blond hair too or something, or whatever, really condescending. He's had this conversation with me and treating me this way and all of a sudden someone said, "Oh, she's a lawyer". And the shift in the conversation and the way he tried to backtrack and it was funny. I liked it. I get a great deal of satisfaction out of that because I'm exactly the same person.

8. That case in December, that guy was, without a doubt, he was... He had tons of WCB claims, he had tons of UIC claims, he's been busted for fraud a couple of times, collecting WCB and welfare at the same time and he just wanted to get as much out of ICBC that he could get. And he was using the system very effectively. He knew how to use it and I felt good to actually put a stop to it. Not only did we win the case and got nothing but he was ordered to pay out seven hundred dollars so I really enjoyed that. That was very satisfying to me.

9. It's happening on a case that I convinced the adjuster, well she was run over. She was a pedestrian. She was run over at a crosswalk. But we're going to settle it. We're going to settle it for good money. She's actually a very nice lady. I did the Discovery and I met her and she's really nice and we did some checks on her and she's very genuine and that feels good.

Hindering Incidents

1. I like to think of myself as being a very cooperative, reasonable, rational person and sometimes I'm up against other counsel that are very unreasonable, very uncooperative and very slimy. I don't like it. There was one time where I went to court and he said he was going to do something and he did the opposite and he got the order and I didn't have any proof that he said or he did. And I felt that I was

naive by taking him at his word. I should have had it in writing. So, I felt naive and that I was taken advantage of.

2. I told my client that if we take this position then we're going to be dragged into court, we're not going to win, we're going to look unreasonable, we're going to lose and we're going to get costs against us. And he said, "I don't care, you do it." And I'm like, "Okay, fine." So, I went in and the judge looked at me when I got up and said my piece and say, "You're completely unreasonable". But I cloaked that by saying, "My instructions are..." Ultimately your duty is to your client and you just give them your advice. That's what you're being paid to do, give them your advice.
3. I called my friend in Toronto last night at eight thirty our time which was probably eleven thirty their time. I called her at the office and she's still there and I'm thinking "God, unreal." In a way I felt a bit guilty like maybe I should be doing that and that's the pressure that the profession puts on you.
4. It happened about a year ago. I was at an Examination for Discovery. I told you that, where I ask the plaintiff questions. And her lawyer was a complete jerk to me. It was unbelievable. He told me on the record that it was the worst Discovery he's ever seen in seventeen years. He would never do that to an older male lawyer. And the things is that we won the case and it was a really good Discovery but he was just

blustering for the benefit of his client. And that really upset me because I know that the only reason he would treat me like that was because I was young, being a little inexperienced. Again, he took advantage of me like that and I did not like that at all. It made me feel insecure and I remember when he was yelling at me in the room, really embarrassed and I could feel my face get really hot and I thought, "Oh gosh, I hope my face isn't red and he can see how upset he's making me." It was okay, we won the case after and now he's so sweet to me it makes me sick.

Definition: Job satisfaction is if you get up every day, look forward to the day ahead, to the work that you have to do, to get through your work and to know you're doing a good job, to really benefit somebody, to know your case. To me that's real job satisfaction to enjoy your day and to know that you're doing a good job and making a difference.

Rating: From one to ten it's probably about an eight.

Importance: It's so important because I remember what it was like having a pain in stomach the night before I had to go to work. And I can't live like that. I would just quit. It's very important. Because this is a huge chunk of your time, you have to have job satisfaction or to me your life is wasted. Life is too precious to be in a job that you hate.

Participant 014**Enhancing Incidents**

1. I was quite happy recently because he (the managing partner) noticed that I was doing a lot of good work and the clients were quite happy and I was bringing, potentially bringing in some new business in terms of new clients to the firm. The fact that my happiness is so dependent on the approval of my superior signals that there is something a little bit wrong. I should be more, I wish I was more satisfied with the work itself rather than with approval, whether I'm getting approval or not.

2. For example, there was one instance where we had a big, big client worth a lot of money to our firm who was starting to bring other lawyers in on a transaction and my boss was getting a little bit nervous about this, thinking that we might lose these clients to these other lawyers. So, he was really set on us doing as near a perfect job as possible so we'll look good compared to the other lawyers on the transaction. So, I was reviewing some work done by the other lawyers and I found some mistakes that were fairly serious in their work and I pointed them out to him and he was very pleased that I had found these mistakes because it made the other lawyers look bad and made us look good.

3. On another occasion we had done some work for another quite important client of our firm and the client was not pleased with the work that we had been doing because

they had... at first they had said, "I want as little legal involvement as possible. I just want you to do the minimum necessary" and then things started getting complicated and the client said, "Where were you guys on this? You weren't there for me" so he was giving us sort of inconsistent messages. So the client was upset with our law firm so my superior asked me to go out and personally visit the client at their place and attempt the execution of some documents, the signing up of some banking documents. And the client was very happy that I'd come out there and I was organized and the client had sort of forgiven the law firm of this breach of, of this mistake that we'd made or that they thought we had made so he was very happy about that.

4. I brought in a manslaughter file of all things because a friend of a friend of a friend ended up getting into a fight and killed someone by accident. And that is worth twenty to thirty dollars to the firm if it goes to trial. So that was a big coo apparently. It was a little bit weird thinking that this death of somebody, that I'm benefitting by someone's being charged by a criminal offence.
5. On another occasion I was handling the sale of some assets. A business was selling some equipment and I prepared all of the agreements whereby the assets would be sold and did all the of the due diligence which is basically the searching into the estate of the assets, whether there's any debts or encumberences on the asset or

whether its clear and I coordinated the closing which is the day when all the money goes. And the clients called my boss and said how pleased they were with that transaction so I felt pleased that the clients felt that I was doing a good job and pleased that my boss was happy with the work I was doing.

6. Well, I know that when I met my fiancée's parents they were pleased that their daughter was dating a professional because there are professionals in their family and they are professionals themselves and there is a certain familiarity.
7. Just getting my job I felt a lot of satisfaction because of the difficulty a lot of my friends were having. I got my job after articling. Either you get kept on where you're articled or you don't and you have to look for a new associateship position. And so I didn't get kept on where I articled and within a week or so I had gotten this new job and everyone was talking about how hard it is to get associate's positions and so I was feeling very good about having got it.
8. For example, there was a time when I got asked out for a lunch by the managing partner, my boss. And he started asking me these questions about who I hang out with, who my friends are. And so I started describing the types of people that I was hanging out with and he said to me that he thinks that I should try to change that and try to hand out more with people who could generate business for the firm. And he

was saying that it was in his experience that the people that don't refer business, that friends of his that say that they don't want to mix business with pleasure, he tends to cut off as friends because he feels that if they're not referring business then they're wasting his time. So, I relayed this. I couldn't believe it that he was telling me who I should hang out with and I should start calling on my friends. So, I told some of the younger associates about this and they told me that they had, that they had heard he was like this with everybody and that just to ignore him and we were joking about how my friends were going to take it hard when I started calling them and telling them, "I can't hang out with you anymore because you're not a banker or head of some international corporation." So, you know that, it felt nice to have people who were on my side of that.

Hindering Incidents

1. One example is that time when I told about having to change my friendships. I felt that my boss was crossing the line between personal matters and work-related matters and I felt like to succeed in my job would take a real change in the way I am and what I feel is important and I felt really bad about that.
2. Around my evaluation time, right around when my raise was about to come through. And generally this guy that I work for, he is known to come down really hard at the evaluation that immediately precedes the raise to make you feel like you're lucky to

be getting anything, so you don't say, "This raise isn't so much." So anyway, at this meeting, just as I told he would do, he started cutting into how I making so many mistakes and they're so concerned about my work even though this is the first I've heard that they're so concerned about my performance. This was eight months into my job. And then as an afterthought, he said, "And by the way, we're giving you this X amount of raise. Are there any question?" And so I said, "Well, I'm very surprised that I'm getting all this negative criticism all of a sudden when I never thought there was anything wrong with what I was doing." And then the talk of the raise was just an afterthought and so I had a day there considering quitting and I felt like I wasn't being valued at all. And so I went in and I said, "I'm considering looking for another job. What do you think my future is here? I was very disappointed with our meeting." At that point my boss said that it wasn't his intention to make me like I should be looking for another job, they have all kinds of confidence that I'm going to improve and the other lawyer who was in on this meeting had told my boss that he was too hard on me and so they started back pedaling and back pedaling. And then the next day he came in and offered me two thousand dollars more than they had offered and a percentage of whatever business that I bring in. So that sort of turned it around a little bit. What was initially a very bad experience became a little more bearable even though it didn't change the fact that I felt that my boss had tried to use this game, this ploy on me by cutting me up so much right before the raise.

3. If the firm uses a particular form of will as their standard will form and they want to know, for example this is some research I'm doing recently. They want to know if a particular clause of this will has some negative tax implications for the clients. They just wanted to know that generally and it applies to all clients so I can't bill it to a particular client. But it's still work that requires a lot of time. It's important work because it could affect all of our clients but no one client will pay for it so you end up doing it and not getting any billable credit for it.
4. Well right now for example, I don't have enough to do and it was around three or four o'clock when I definitely could have left and I had nothing pressing for tomorrow and I could have definitely have not gone into work today and nobody would have cared but I can't because there is always the chance that someone is going to need me to do something quickly or a client will call and need to get in touch with me. I end up forcing myself to be unproductive, to look over something but your mind really isn't there.
5. These two people were interested in buying a restaurant. One was a chef and one was just a businessman. They came to use trying to get us to help them buy this restaurant. And they were all excited about the menu and all this stuff and I was handling this sale. As it turns out the vendor was a bit of a thief and the company had all kinds of debts that the vendor wasn't disclosing to us and the company was

worth a lot less than the vendor had said. And because of all of this, all of these hidden elements, the cost of the legal feels started going up and it became much more expensive than was originally quoted to the client. Not by me but by the partner who opened the file. I mean it was way, way more expensive but I know that the work was done because we just had to do so much and also the clients, because they weren't used to dealing with lawyers, I guess somehow they felt like they were going to pay what they were told they were going to pay and they could just call as much as they want. To some extent they should be able to call and I was billing it for it because it's not my job to keep the costs down if my time has to be written off by the partner who is in charge of the file. So anyway, it turned out that my time and I was the one who spent the most hours on it. But the money that was generated by me was less than two other lawyers who spent much less time on the file. They just have higher billable rates and the client ended up buying this restaurant that I don't think is doing particularly well. I don't think that they're able to pay our legal bill which we cut in half and is still way, way more than was estimated. I didn't feel particularly proud of the job I did because at the end of the day they got their restaurant but it cost them much, much more than they thought and they're not doing particularly well in the business and yet we're still sending them letters about our fees. I originally told them I was going to go and visit their restaurant at one point and I really don't feel like showing my face there because I feel a little bit

embarrassed about how much we charged them and how much more it was than they were originally quoted.

6. I was out with a realtor who could potential refer a lot of business to me and I felt like it was a little uncomfortable bringing up the business side of it. We were having lunch and exchanging small talk and this is a personal friend and then you have to shift into business mode and then you feel like whatever conversation you had before was, were you really interested or was it just a preamble to what was really important which was the business side of it.

Definition: Primarily it's just a feeling of comfort and of having a reasonable amount of discomfort. I define job satisfaction as finding, as having a job that you want to work towards being quite good at but the hard times are manageable. A feeling when you get when your personality is consistent with what you're doing. Where you don't have to really make a huge sacrifice there.

Rating: On a scale of one to ten, probably seven. A moderate sense of job satisfaction.

Importance: Absolutely.

Participant 015**Enhancing Incidents**

1. I can think of one other time when I had a difficulty with one of the supervisors at the Ministry office and he was having, he had called a meeting with my boss and I know my boss at that time was fully supportive of me as were all of the other supervisors except for this one particular person. That made me feel better because not only my boss but also some of the other people, you know clients, were quite supportive of me so it sort of took away from the one person who was not happy with me. Basically when my boss was called in he didn't know what he was being called in for and it seemed like this one particular person wasn't happy with the work that I was doing and when he realized that was what it was all about, he called the office and told me that I should come down there and that if they had a problem with me then they should talk to me directly or else I should hear it. And at the same time he asked all the other supervisors, there was four offices, and they all said they were happy with the work I did. And pretty much this one person just sort of backed down after hearing what everybody else had to say. So, it worked out fine from my perspective and eventually that supervisor went elsewhere.

2. Making a connection with a kid. Usually when you meet them they've built up a wall against anyone, their parents, the social workers. In one particular case I had a case who had really screwed up. He was definitely going into custody and I had to make

all these phone calls to make arrangements to pitch to the judge that this should boy shouldn't go to jail and it was around Christmas. I had to make a phone call to his father because that was the only alternative was that he'd be able to... I was really frustrated with the father. The father didn't seem to have the time for this child and I could really see where this kid's problems were coming from. Eventually I was able to get the father to agree reluctantly to spend some time with him so he could actually go home for Christmas. And the judge didn't send him to jail and actually released him for that period. And while the judge was making his decision, I just whispered to this kid, "If something goes wrong or whatever, call me" and what he said to me was, "I know what a break I'm getting and I know that I'm really lucky that I'm going to be out" and he said, "I'm not going to screw up but if I do, I will call you." So it was like I had made a connection with this kid and he actually made it through the whole Christmas season without screwing up.

Hindering Incidents

1. When I first started, I could understand their concerns, and I'm talking about a particular supervisor, of not wanting me to run a particular case because I had no experience in that and I didn't feel comfortable at that time. But there was one thing that my boss had said to me was that, "If they keep asking for me, I'm going to have to find somebody else to do your job" because I'm not able to my job. And at that point I felt it was really unfair because I hadn't even been given the opportunity to

even learn the work and at that point I hated my job. This was never really the type of work that I wanted to do and I found that to be a real low point and it was quite early on when I started, so that's probably when I was the most dissatisfied at this job. We were at court and it just kind of came off the cuff and I don't think he meant it knowing him now but at that point I didn't know him very well, I had just started working here, and it just came off the cuff sort of the thing and I wasn't expecting it and I probably read a lot more into it than he probably meant at that time. At that point to me, I had no confidence in myself, he had no confidence in me, the client had no confidence in me, so nobody had any confidence in me. It was a difficult experience at that time.

2. One other time, and it wasn't necessarily work. It was everything. It was around June of last year. I was getting married. I had, it was either in May or June I was in court twenty-two days in the month and I was working really long hours. I was getting married in the end of June. My sister, who lives in Denmark, was here with her family for the wedding and I wasn't able to spend any time with her and I was working all the time and I wasn't even able to plan or anything for the wedding and my house was a mess. And just sort of everything at that point. It wasn't just the job but the job I saw as the biggest problem that I was having that was interfering with everything else. And at that point, I think I sort of hit a crisis. It just sort of came to a head a week before I was getting married. My husband had gone to L.A.

for a trip and I was up until two o'clock preparing for a trial that I was in the next day. He had just called me and gotten off the Jurassic Park ride and then when he came home he said something about, "Did you water the plants?" and I just BLAH, "I can't do it all at once!" That was pretty bad but I think what I hated at that time was my job because I didn't see an end to it. I didn't see how I could lessen the work. This type of work is not the type of work that you can just decide that I'm not going to do it today, I don't think that I'm going to go into work today.

3. I remember a time when I was at the other job. A friend of mine was in a serious accident and he was hospitalized and it was a spinal injury and I had told the person that I worked for before that I had to leave at a certain time because of visiting hours and I explained what had happened and he just sort of ignored that and gave me a bunch of work to do so I couldn't go.

4. I remember at that job too, asking for holidays or saying that I was going to take two weeks of holidays. And he said, "Well, when you started this job you said that you had no plans for holidays" and he wasn't going to give me my two weeks and then he said you weren't going to get paid for it. Well, that wasn't my understanding of how things went and eventually I was able to go. And this was of course through E-mail and he was in the office next to me. It wasn't like he couldn't even carry on a conversation.

5. One of our lawyers just recently left the firm. I had just been able to, I think at that point I was boasting how I had managed to control my work and get it so that I had completely cleared my calendar of any real long hearings and when she left I got half of her work and "A" got the other half of it. And to me, it was like a fifty percent increase in my work load and I had to assume her cases which she runs in a totally different way and I had to assume and jump into a case for example, where she had already done five or six days of hearing and I had to continue that on, not knowing what she had done and trying to figure out. And trying to manage something that I had absolutely no control over I find difficult. Also at the same time I found that I was being compared to the way she did her work.

Definition: I guess for me in this job it's feeling like you're doing something, that you're doing some kind of good and that to me it's not just the work but it's also the environment too. That a place you don't mind going to every day. That you look forward to actually doing the work and meeting new challenges and things like that.

Rating: Like a scale of one to ten or something? Probably if it's this job about a seven I guess. Probably moderate. It's probably not because of this job, but overall... I guess that if it's just job... It's just that it's one of the things that I've always said is that I don't want to be a lawyer but I don't know what else

I'd want to do. It's not that I dislike this job but the type of work anyway isn't something that I really wanted to do.

Importance: To tell you the truth, I don't think that it's that important because I manage to last for a year at a job that I really wasn't happy at and to me it's something that I have to do, is to work and so you just sort of make do with what you've got and I've never really been a person to really actively go out and make it better. Things like getting paid, how much I get paid, I've never asked for a raise. That's not the important part to me. You just take what you get. So, I don't think it's that important. It makes it better but it's not something that I would quit a job.