THE HOLY GRAIL:
WORK–LIFE BALANCE IN THE LEGAL PROFESSION

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I INTRODUCTION

Why does work–life balance matter to the Australian legal profession? Law students and graduates share mixed tales of triumph and horror upon entering the 'real world' of legal practice. While the nature of legal work is challenging and rewarding, it can threaten to invade and conquer the lives of individuals. The reported challenges of the legal profession include psychological distress, depression and substance abuse.[1] Anecdotal evidence suggests that the pressures of the legal profession are causing the high attrition rates of legal professionals.

These issues present strong business and social imperatives to improve work–life balance. It is short-sighted for the pursuit of higher profits and excellent client service to overshadow the welfare of legal practitioners. Work–life balance, job satisfaction and life satisfaction are critically important to individual legal practitioners, employer organisations, government and policymakers. The present study provides empirical research into these key contemporary challenges and reports on the experiences of legal practitioners in Western Australia ('WA').

Work–life balance is defined in this article as the 'accomplishment of role-related expectations that are negotiated and shared between an individual and his or her role-related partners' in the work and life domains.[2] The results of the present study illustrate the paradox of the legal profession: lawyers find great satisfaction from work despite concerns about work–life balance and life

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[1]   Christopher Kendall, 'Report on Psychological Distress and Depression in the Legal Profession' (Report, Law Society of Western Australia, March 2011) 11–12; Veronica Hopkins and Dianne Gardner, 'The Mediating Role of Work Engagement and Burnout in the Relationship between Job Characteristics and Psychological Distress among Lawyers' (2012) 41(1) *New Zealand Journal of Psychology* 59.

[2]   Joseph G Grzywacz and Dawn S Carlson, 'Conceptualizing Work-Family Balance: Implications for Practice and Research' (2007) 9 *Advances in Developing Human Resources* 455.

satisfaction. However, the empirical findings also demonstrate that legal practitioners working more than 40 hours per week experience lower work–life balance and life satisfaction than those who work fewer hours.

The structure of the present article is suited to the empirical nature of the research. Part I provides an introduction to the main purpose of the present study and the underlying benefits and reasons for research. Part II is a literature review that starts with an examination of the issues facing the Australian legal profession and the significance of work–life balance to individuals, employer organisations and the government. This is followed by an outline of the evolution of work–life balance theory and the meaning of work–life balance. Part III and IV establish the hypotheses and research methodology of the study. Part V details the results of the study, while Part VI provides a discussion of the findings. Part VII outlines the major strengths and contributions of the study and Part VIII examines the directions for future research. Part IX concludes by summarising the main findings of the study and its relevance to the Australian legal profession.

II   LITERATURE REVIEW

A   Australian Legal Profession

Law is a rewarding and challenging vocation for many practitioners. However, the successful practice of law demands 'huge amounts of time and emotional energy' from legal practitioners which can threaten to make a 'total claim' over an individual's life.[3] This is the paradox of the legal profession: lawyers are committed and happy to work, despite the apparent lack of work–life balance. A plethora of anecdotes and a limited number of empirical studies[4] provide commentary on the pressures of billable hours and client service. Lawyers appear to be available around the clock and 'the only real outer boundary is that there are 24 hours in a day – and 168 in a week.'[5] Individuals often meet these demands of time and energy at the expense of a balanced lifestyle and reasonable quality of life.[6] At the same time, the legal profession faces serious challenges due to high levels of psychological distress, depression and substance abuse.[7] There is also increasing discussion around issues of

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3   Bruce A Green, 'Professional Challenges in Large Firm Practices' (2005) 33 *Fordham Urban Law Journal* 7, 28, quoting Amelia J Uelmen, 'The Evils of "Elasticity": Reflections on the Rhetoric of Professionalism and the Part-Time Paradox in Large Firm Practice' (2005) 33 *Fordham Urban Law Journal* 81, 108–9; David L Chambers, 'Accommodation and Satisfaction: Women and Men Lawyers and the Balance of Work and Family' (1989) 14 *Law and Social Inquiry* 251, 287.

4   See, eg, Adele J Bergin and Nerina L Jimmieson, 'Australian Lawyer Wellbeing: Workplace Demands, Resources and the Impact of Time-Billing Targets' (2014) 21 *Psychiatry, Psychology and Law* 427.

5   Scott Turow, 'Our Gilded Cage' in Lawrence J Fox (ed), *Raise the Bar: Real World Solutions for a Troubled Profession* (American Bar Association, 2007) 3, 6.

6   Chambers, above n 3, 256, 286–7.

7   Kendall, above n 1.

wellbeing, depression, distress and anxiety among law students in Australia.[8] Professionals and students in the legal profession demonstrate higher levels of depressive symptoms than any other profession in Australia.[9] Therefore, it is critically important to recognise the benefit in lawyers maintaining their sanity, balance and creative energy.[10] The absence of work–life balance presents a significant challenge to the future of the Australian legal profession.

There is a surprising scarcity of empirical research on the Australian legal profession, despite the endless anecdotal evidence. The Law Council of Australia's *National Attrition and Re-engagement Study* (*NARS*) *Report*[11] is a recent notable exception with a quantitative study that analysed survey responses from over 3000 respondents. The study explored the attrition of women from the Australian legal profession and found that work–life balance was one of the top ten elements of work causing job dissatisfaction among practising lawyers (30 per cent of female respondents and 26 per cent of male respondents).[12] The results also demonstrated that work–life balance was one of the most important and frequent reasons that both male and female respondents were considering future career moves, as well as the most important and frequent reason for those respondents who left the legal profession. Similarly, a 2004 study commissioned by the Australian Young Lawyers Committee specifically analysed the experiences of young lawyers.[13] The survey results demonstrated that young lawyers enjoy the challenging world of legal practice with 41.1 per cent of respondents rating job satisfaction as high. However, most respondents worked 41–50 hours per week and a large proportion indicated that they were expected to work these hours. The report found that 45.8 per cent of respondents were considering leaving their current job, and work–life balance was the most common reason for young lawyers choosing to remain in their current position. The *NARS Report* and the *Australian Young Lawyers Committee Report* can provide a high-level understanding of the complex web of interactions between a lawyer's job satisfaction, career intentions and work–life balance.

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8   See, eg, Anna Huggins, 'Autonomy Supportive Curriculum Design: A Salient Factor in Promoting Law Students' Wellbeing' (2012) 35 *University of New South Wales Law Journal* 683; Norm Kelk, Sharon Medlow and Ian Hickie, 'Distress and Depression among Australian Law Students: Incidence, Attitudes and the Role of Universities' (2010) 32 *Sydney Law Review* 113; Wendy Larcombe et al, 'Does an Improved Experience of Law School Protect Students against Depression, Anxiety and Stress? An Empirical Study of Wellbeing and the Law School Experience of LLB and JD Students' (2013) 35 *Sydney Law Review* 407; Wendy Larcombe and Katherine Fethers, 'Schooling the Blues? An Investigation of Factors Associated with Psychological Distress Among Law Students' (2013) 36 *University of New South Wales Law Journal* 390.

9   Beaton Research + Consulting and beyondblue, 'Annual Professions Survey: Research Summary' (Research Report, April 2007) 2 <http://www.beatonglobal.com/pdfs/Depression_in_the_professions _survey.pdf>.

10   Green, above n 3.

11   Wallace et al, 'National Attrition and Re-engagement Study (NARS) Report' (Research Report, Law Council of Australia, 2014) <http://www.lawcouncil.asn.au/lawcouncil/images/LCA-PDF/NARS%20Report_WEB.pdf> ('*NARS Report*').

12   Ibid 20.

13   Australian Young Lawyers Committee, 'Executive Summary: Young Lawyer Survey' (Research Report, Law Council of Australia, 2004) 7 ('*Australian Young Lawyers Committee Report*').

The empirical research into the Australian legal profession has mostly analysed work–life balance incidentally, rather than using a targeted and theoretically grounded approach. One of the rare exceptions is a 2010 study for the Queensland Law Society, which used a validated cross-cultural measure to specifically assess respondents' perceptions of work–life balance.[14] The report found that work–life balance is a significant predictor of life satisfaction, job satisfaction, mental health and intention to remain in the legal profession. It is surprising that the study is one of the first empirical contributions towards the improvement of work–life balance within the legal profession given the significance of the subject matter to individual legal practitioners and their employers. It is critical that the literature moves past anecdote and theory towards a focus on empirical research in order to address the concerns about quality of life, mental health and work–life balance in the legal profession. The present study builds on the existing literature to add another layer of empirical research that aligns with recent theoretical thinking in the field of work–life balance.

B   Significance of Work–Life Balance

The legal profession provides a clear illustration of the demographic and workplace changes that have triggered the active academic, social and business interest in work–life balance. A very significant change is the influx of women into paid employment and the pursuit of independent career and financial aspirations,[15] which have led to changes in family composition and concerns about the deterioration of home and community life.[16] The legal profession is certainly not immune from increasing pressure due to greater demand for longer working hours, intensified work practices and constant availability through technological advancements.[17] In today's globalised and tech-savvy world,[18] organisations and employees must constantly navigate the tensions between work and other life demands.[19] An individual who achieves work–life balance is one who successfully negotiates and accomplishes his or her role-related

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14   Barbara Haddon and Andrew Hede, 'Work–Life Balance – An Integrated Approach: The Case for Joint and Several Responsibility' (Final Report, Queensland Law Society, June 2010) 10.

15   Stefani Scherer and Nadia Steiber, 'Work and Family in Conflict? The Impact of Work Demands on Family Life' in Duncan Gallie (ed), *Employment Regimes and the Quality of Work* (Oxford University Press, 2007) 137, 137.

16   David E Guest, 'Perspectives on the Study of Work–Life Balance' (2002) 41 *Social Science Information* 255, 257.

17   Ibid.

18   Abigail Gregory and Susan Milner, 'Editorial: Work–Life Balance: A Matter of Choice?' (2009) 16 *Gender, Work and Organization* 1, 1.

19   E Anne Bardoel, Helen De Cieri and Clarice Santos, 'A Review of Work–Life Research in Australia and New Zealand' (2008) 46 *Asia Pacific Journal of Human Resources* 316, 316.

expectations, which are shared with other people in the work and life domains, including family members, supervisors and co-workers.[20]

The business case for employer organisations rests on the wealth of research that indicates that work–life balance is associated with important work-related outcomes. The legal profession is particularly concerned about the attrition rates of female lawyers[21] and young lawyers who are 'leaving the profession in droves'.[22] News articles often cite work–life balance as a reason for the large numbers of lawyers who are considering leaving the profession.[23] Previous research provides evidence that work–life balance can affect the career choices of individual legal practitioners. A study of female lawyers in Canada found that female lawyers can have children, a satisfying career and a balanced life.[24] The study found that work–life balance, career satisfaction and life satisfaction were relevant to the career choices of female lawyers. Furthermore, the Australian Work and Life Index is a national index of work–life interaction that recognises the relationship between job satisfaction and the challenge of ensuring a healthy work–life balance.[25] Work–life balance initiatives can help organisations attract and retain top talent;[26] improve the performance of employees and the organisation; and increase employee organisational citizenship behaviour, commitment, morale and satisfaction.[27] There is a strong business imperative for employer organisations to develop policies and strategies to improve the work–life balance of legal practitioners.

There is also widespread recognition that work–life balance is a social imperative at the forefront of contemporary political agenda and policy.[28] Governments are increasingly attentive due to the evidence linking work–life balance to social health and labour market outcomes. Work–life balance is a hot

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20   Cynthia Thomas Calvert and Natalie M Hiott-Levine, 'A New Path to Excellence: Balanced Hours 101' in Lawrence J Fox (ed), *Raise the Bar: Real World Solutions for a Troubled Profession* (American Bar Association, 2007) 113, 114; Grzywacz and Carlson, above n 2, 113, 114.

21   Rachel Davis and George Williams, 'A Century of Appointments but Only One Woman' (2003) 28 *Alternative Law Journal* 54; Claire Buttner, 'Women Opting Out of Law', *Lawyers Weekly* (online), 17 May 2007 <http://www.lawyersweekly.com.au/news/women-opting-out-of-law>; 'Is It Really a Man's World?', *Lawyers Weekly* (online), 1 July 2007 <http://www.lawyersweekly.com.au/lawyer2b/is-it-really-a-man-s-world->.

22   'Billable Hours Place Profession under Threat', *Lawyers Weekly* (online), 19 May 2010 <http://www.lawyersweekly.com.au/news/billable-hours-place-profession-under-threat->.

23   See, eg, 'One in Four Looks for an Out', *Lawyers Weekly* (online), 6 February 2006 <http://www.lawyersweekly.com.au/news/one-in-four-looks-for-an-out>.

24   Jean E Wallace, 'Can Women in Law Have It All? A Study of Motherhood, Career Satisfaction and Life Balance' in Royston Greenwood and Roy Suddaby (eds), *Professional Service Firms: Research in the Sociology of Organizations* (Emerald Group Publishing, 2006) vol 24, 299.

25   Barbara Pocock, Philippa Williams and Natalie Skinner, 'The Australian Work and Life Index (AWALI): Concepts, Methodology and Rationale' (Discussion Paper No 1/07, Centre for Work + Life, University of South Australia, May 2007) <http://w3.unisa.edu.au/hawkeinstitute/cwl/documents/awali-concepts.pdf>.

26   Scott Cawood, 'Law Firms as Great Places to Work' in Lawrence J Fox (ed), *Raise the Bar: Real World Solutions for a Troubled Profession* (American Bar Association, 2007) 69, 70.

27   Grzywacz and Carlson, above n 2, 456.

28   Dawn S Carlson, Joseph G Grzywacz and Suzanne Zivnuska, 'Is Work-Family Balance More than Conflict and Enrichment?' (2009) 62 *Human Relations* 1459, 1459.

topic in discussions about diversity and equal opportunity. The effective implementation of work–life balance policies is a critical factor influencing career progression: for example, female lawyers may perceive flexible work arrangements as a barrier to promotion.[29] Furthermore, work–life balance is a topic of great interest to government and policy makers because individual wellbeing is vital to a healthy and functioning society.[30] Research demonstrates that work–life balance reduces employee sickness[31] and depression.[32] Mental illness is a critical issue because the legal profession demonstrates disproportionately high rates of psychological distress and depression.[33] Anecdotal arguments persist about whether timesheets and long hours can be blamed for the high rates of depression among lawyers.[34] While there is no easy solution to depression, mental health initiatives must address the culture of the workplace and the legal profession, not simply focus on employee lifestyle choices.[35] Work–life balance is not merely a matter of individual choice: improvements to work–life balance require a greater systemic change from the legal profession as a whole.

The assumption of individual choice is a flawed argument. Researchers have identified that the culture, norms and expectations of the legal profession do in fact inhibit 'free choice' and 'agency'.[36] The two theoretical discourses on work–life balance both make implicit assumptions about individual choice.[37] The 'personal' discourse focuses on individual or household responsibility for controlling time and work–life balance. This places great emphasis on human agency and subsequently overlooks 'structural, cultural and practical constraints'.[38] In contrast, the 'workplace' discourse considers the characteristics of workplaces as indicated by work–life balance policies or employee perceptions of work–life balance support.[39] This focuses on providing flexible choices for employees with non-work commitments, without taking account of constraints due to workplace culture, norms and assumptions.[40] For example,

29   Briana Everett, 'Work/Life Balance Carries Career Consequences', *Lawyers Weekly* (online), 31 March 2010 <http://www.lawyersweekly.com.au/news/work–life-balance-carries-career-consequences->.

30   Grzywacz and Carlson, above n 2, 455.

31   Ibid 456.

32   Stephen R Marks and Shelley M MacDermid, 'Comment: Multiple Roles and the Self: A Theory of Role Balance' (1996) 58 *Journal of Marriage and the Family* 417.

33   Sharon Medlow, Norm Kelk and Ian Hickie, 'Depression and the Law: Experiences of Australian Barristers and Solicitors' (2011) 33 *Sydney Law Review* 771.

34   Justin Whealing, 'No Easy Solution to Depression', *Lawyers Weekly* (online), 27 September 2012 <http://www.lawyersweekly.com.au/news/no-easy-solution-to-depression>.

35   Kendall, above n 1, 15.

36   Nadine Levy, 'Issues Facing Young Women Lawyers' (2011) 33(10) *Bulletin (Law Society of South Australia)* 28.

37   Suzan Lewis, Richenda Gambles and Rhona Rapoport, 'The Constraints of a "Work–Life Balance" Approach: An International Perspective' (2007) 18 *International Journal of Human Resource Management* 360, 361–71.

38   Ibid 362, citing Paula J Caproni, 'Work/Life Balance: You Can't Get There from Here' (2004) 40 *The Journal of Applied Behavioural Science* 208.

39   Ibid 361.

40   Ibid 362.

many female lawyers believe that flexible work arrangements will negatively affect their prospects of promotion.[41] The contemporary workplace increasingly blurs the boundaries between work and life. Furthermore, work is a major source of status and identity and, therefore, choices about work–life balance are always socially embedded.[42] It is too easy for individuals and organisations to approach work–life balance with quick fixes. We must recognise that wider organisational, cultural and socio-economic change is necessary to achieve long-term and sustainable work–life balance within the legal profession.

C Meaning of Work–Life Balance

Work–life balance is a concept that continues to evolve over time. Traditionally, the legal profession was almost entirely male and work–life balance was treated as a women's issue.[43] The attrition of female lawyers remains a concern within the profession, [44] but work–life balance debates must now extend beyond the tensions between work and motherhood. Researchers since the 1960s have considered the interaction between work and family roles, with most early research focusing on work-family conflict.[45] The contemporary literature demonstrates a shift in terminology from 'work-family' to 'work–life' which more broadly conceptualises the non-work domain.[46] This evolution reflects a wider focus on a diverse set of roles, such as leisure, self-development and community membership.[47] The present study uses the term 'work–life balance' to hold relevance to the majority of legal practitioners by encompassing all work and other life roles, including family roles.[48]

Despite the popularity of work–life balance, the literature on work–life balance suffers from a distinct lack of conceptual clarity. [49] Early research conceptualised work–life balance as the lack of conflict or interference between work and non-work roles.[50] The duality of work–life conflict means that work

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41   Everett, above n 29; Margaret Thornton and Joanne Bagust, 'The Gender Trap: Flexible Work in Corporate Legal Practice' (2007) 45 *Osgoode Hall Law Journal* 773.

42   Lewis, Gambles and Rapoport, above n 37, 366 citing Jane Lewis and Susanna Giullari, 'The Adult Worker Model Family, Gender Equality and Care: The Search for New Policy Principles and the Possibilities and Problems of a Capabilities Approach' (2005) 34 *Economy and Society* 76.

43   Calvert and Hiott-Levine, above n 20, 116; Comment, 'It's Time to Move On' [2004] (Winter) *Bar News: Journal of the NSW Bar Association* 44; Chambers, above n 3, 256.

44   Davis and Williams, above n 21; Buttner, above n 21.

45   Gregory and Milner, above n 18, 1.

46   Lewis, Gambles and Rapoport, above n 37, 360.

47   Jeffrey H Greenhaus, Karen M Collins and Jason D Shaw, 'The Relation between Work-Family Balance and Quality of Life' (2003) 63 *Journal of Vocational Behavior* 510, 527.

48   Ibid.

49   Carl P Maertz and Scott L Boyar, 'Work-Family Conflict, Enrichment, and Balance under "Levels" and "Episodes" Approaches' (2011) 37 *Journal of Management* 68, 74.

50   Jeffrey H Greenhaus and Nicholas J Beutell, 'Sources of Conflict between Work and Family Roles' (1985) 10 *Academy of Management Review* 76; see, eg, Jean E Wallace, 'It's about Time: A Study of Hours Worked and Work Spillover among Law Firm Lawyers' (1997) 50 *Journal of Vocational Behavior* 227.

can interfere with life, and life can interfere with work.[51] Furthermore, a multidimensional approach to work–life conflict must include separate measures of all three forms of conflict: time-based, strain-based, and behaviour-based conflict.[52] Time-based conflict occurs because the time spent on activities at work cannot be devoted to activities at home, and vice versa. Time-based conflict holds particular relevance to the legal profession due to lawyers' long hours, targets for billable hours and constant availability through technology. Behaviour-based conflict arises when specific patterns of behaviour in one domain are incompatible with expectations of behaviour in the other domain.[53] For example, a lawyer who must complete work using logic and pessimism may have difficulty adjusting this behaviour to comply with family members' expectations of warmth and emotional vulnerability. Finally, strain-based conflict concerns symptoms such as tension, anxiety, fatigue, depression, apathy and irritability.[54] The nature of legal practice requires mental concentration, task autonomy and extensive time involvement, and research demonstrates that each of these demands leads to greater strain-based conflict.

Later research proposed that work–life balance involved more than a mere absence of conflict and new concepts sought to capture the positive side of the work–life interface.[55] Experiences such as moods, skills, values and behaviour are resources that can be transferred between work and life. Work–life enrichment occurs when the resources gained in one domain improve the individual's performance in the other domain. This perspective looks beyond minimising work–life conflict because it recognises that increasing work and life commitments can actually cause net benefit.[56] The work–life enrichment measure from Carlson et al[57] is considered one of the strongest in the literature[58] and attempts to comprehensively measure enrichment in both the work-to-life and life-to-work directions. The work-to-life dimensions are development, affect and capital; the life-to-work dimensions are development, affect and efficiency. Development is defined as the acquisition or refinement of skills, knowledge,

51   See, eg, Wallace, above n 50.

52   Dawn S Carlson, K Michele Kacmar and Larry J Williams, 'Construction and Initial Validation of a Multidimensional Measure of Work-Family Conflict' (2000) 56 *Journal of Vocational Behavior* 249, 250.

53   Greenhaus and Beutell, above n 50, 81.

54   Ibid 80.

55   Michael R Frone, 'Work-Family Balance' in James Campbell Quick and Lois E Tetrick (eds) *Handbook of Occupational Health Psychology* (American Psychological Association, 2003) 143, 145; see, eg, Stephen A Small and Dave Riley, 'Toward a Multidimensional Assessment of Work Spillover into Family Life' (1990) 52 *Journal of Marriage and the Family* 51.

56   Dawn S Carlson et al, 'Measuring the Positive Side of the Work-Family Interface: Development and Validation of a Work-Family Enrichment Scale' (2006) 68 *Journal of Vocational Behavior* 131, 132–3; Maertz and Boyar, above 49, 73.

57   Carlson et al, above n 56, 132–3.

58   Dawn S Carlson and Joseph G Grzywacz, 'Reflections and Future Directions on Measurement in Work-Family Research' in Karen Korabik, Donna S Lero and Denise L Whitehead (eds), *Handbook of Work-Family Integration: Research, Theory, and Best Practices* (2008) 57, 64.

behaviours and perspectives.[59] For example, a lawyer could develop negotiation skills at work that are effective for resolving family disputes at home. Affect involves mood and attitude gains that lead to a positive emotional state or attitude. For example, a lawyer with an enjoyable hobby could arrive at work with greater cheerfulness and motivation. Capital refers to psychosocial resources, including a sense of security, confidence, accomplishment or self-fulfilment. A lawyer could benefit from career progression, bonuses and workplace recognition. Efficiency represents gains of time and efficiency due to a sense of focus or urgency. For example, a lawyer could work more efficiently in order to collect children from school on time. The present study uses theoretically grounded measures to assess all six dimensions of work–life enrichment.

Contemporary research continues to question the ambiguous concept of work–life balance in an abundance of emerging literature. However, few researchers consider work–life conflict, enrichment and balance together.[60] A recent study by Carlson, Grzywacz and Zivnuska [61] lends authority to the proposition that work–life balance is a construct distinct from conflict and enrichment. For these purposes, work–life balance is defined as the 'accomplishment of role-related expectations that are negotiated and shared between an individual and his or her role-related partners' in the work and life domains. [62] Work–life balance is viewed as a social construct that takes on meaning outside of the individual. An individual may need to negotiate and share role-related expectations with many other people, including supervisors, co-workers and family members. For example, a lawyer might need to manage competing role responsibilities and boundaries as an employee and a spouse. The lawyer's supervisor might expect the lawyer to work on urgent tasks during evenings at home, while the lawyer's spouse might expect family dinners to be free from the distractions of work and technology. Thus, an individual could perceive work–life balance in the accomplishment of socially negotiated role expectations, despite the existence of work–life conflict or the lack of work–life enrichment. The conceptualisation of work–life balance using role expectations theory recognises that work–life conflict, enrichment and balance are related but distinct constructs. The present study aligns with this contemporary understanding to separately assess work–life conflict, enrichment and balance using validated measures.

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59   Carlson et al, above n 56, 140.
60   Maertz and Boyar, above n 49, 69.
61   Carlson, Grzywacz and Zivnuska, above n 28, 1465.
62   Grzywacz and Carlson, above n 2, 458.

III HYPOTHESES

A Theoretical Concepts

The present study seeks to investigate work–life balance in the legal profession. Anecdotal evidence suggests that work–life conflict is widespread among the legal profession, often due to the time-based pressures of long hours and targets for billable hours. At the same time, research indicates that lawyers thrive from the challenges of legal practice through professional autonomy and development.[63] It remains uncertain whether legal practitioners perceive that they accomplish role-related expectations in both the work and non-work domains. For these reasons, the present study uses contemporary theory to differentiate the concepts of work–life conflict, enrichment and balance. While work–life conflict and enrichment reflect the positive and negative impact of one domain on the other, work–life balance is believed to reflect a global 'characterization of an individual's engagement in and enjoyment of a multitude of roles' across both domains.[64] Role expectations theory defines work–life balance in relation to the ability to simultaneously meet responsibilities in both the work and non-work domains. Although work–life conflict and enrichment might influence a person's ability to meet these responsibilities, many other factors potentially affect work–life balance. For example, a person who is able to successfully negotiate reasonable role-related responsibilities is likely to achieve a higher work–life balance. The present study examines whether work–life balance reflects more than the mere absence of conflict and presence of enrichment.

> **Hypothesis 1**: *Work–life balance is distinct from work–life conflict and work–life enrichment.*

B Outcome Variables

Role expectations theory suggests that improvements to work–life balance yield benefits and desirable outcomes in both the work and non-work domains. These benefits can create 'synergies across role domains that result in improved individual and social circumstances.'[65] In other words, the more effectively an individual meets his or her role-related obligations in each domain, the greater the reward that they receive.

Legal practitioners stand to benefit from empirical research into issues such as job satisfaction and life satisfaction. Furthermore, previous research suggests that meeting work-related expectations can lead to positive benefits for organisations, such as a decrease in turnover intentions. These questions are particularly relevant to employer organisations within the legal profession,

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63   See Iain Campbell, Sara Charlesworth and Jenny Malone, 'Part-Time of What? Job Quality and Part-Time Employment in the Legal Profession in Australia' (2012) 48 *Journal of Sociology* 149.
64   Carlson, Grzywacz and Zivnuska, above n 28, 1465.
65   Ibid 1466.

including law firms and the government. Thus, the present study poses inferential questions about the relationship between each of the work–life constructs and the selected outcomes of job satisfaction, life satisfaction and turnover intentions. Consistent with the theoretical underpinnings in the present study, each subset of hypotheses considers a separate work–life construct. First, the present study examines the associations between work–life balance, independent of work–life conflict and enrichment, and the outcome variables.

In the legal profession, work–life balance is positively associated with desirable outcomes, such that:

> ***Hypothesis 2a****: Work–life balance is positively associated with job satisfaction.*
>
> ***Hypothesis 2b****: Work–life balance is positively associated with life satisfaction.*
>
> ***Hypothesis 2c****: Work–life balance is negatively associated with turnover intentions.*

Secondly, the present study examines the associations between work–life conflict and the outcome variables.

In the legal profession, work–life conflict is negatively associated with desirable outcomes, such that:

> ***Hypothesis 3a****: Work–life conflict is negatively associated with job satisfaction.*
>
> ***Hypothesis 3b****: Work–life conflict is negatively associated with life satisfaction.*
>
> ***Hypothesis 3c****: Work–life conflict is positively associated with turnover intentions.*

Thirdly, the present study examines the associations between work–life enrichment and the outcome variables.

In the legal profession, work–life enrichment is positively associated with desirable outcomes, such that:

> ***Hypothesis 4a****: Work–life enrichment is positively associated with job satisfaction.*
>
> ***Hypothesis 4b****: Work–life enrichment is positively associated with life satisfaction.*
>
> ***Hypothesis 4c****: Work–life enrichment is negatively associated with turnover intentions.*

C   Differences in Work–Life Balance

Work–life balance within the legal profession is a hot topic for debate and commentators often point the finger of blame at commercial law firms. Many writers provide anecdotal evidence on the negative impact of long hours and

targets for billable hours,[66] often drawing unfavourable comparisons between large commercial law firms and other types of employers. Early studies focused on the influx of women into the workforce and compared work–life balance between males and females.[67] The literature on part-time and full-time work arrangements debates the quality of part-time work and whether it serves the interests of work–life balance, particularly within the legal profession.[68]

Furthermore, it seems that work–life balance levels might change as individuals grow older, enter different stages of life, or alter their household or family composition. For example, Monahan and Swanson's longitudinal study illustrates that female lawyers are more likely to forego full-time employment in order to care for children.[69] It is interesting to consider whether there are differences in work–life balance between different groups of lawyers, or whether work–life balance concerns are uniform throughout the legal profession. For these purposes, respondents were split into groups across the following demographic variables: gender, age, average weekly hours of paid work, type of firm or business, current position, primary practice area of law, personal income, marital status, partner's work situation, number of dependent children, age of youngest dependent child and ethnic background. The present study examines the differences in mean work–life balance scores between these different groups of respondents.

> **Hypothesis 5**: *In the legal profession, work–life balance scores differ between groups of practitioners.*

The present study seeks to explore work–life balance within the legal profession and the relationships to desirable outcome variables. Based on the understanding that work–life balance is distinct from work–life conflict and enrichment, the present study seeks to demonstrate whether the relationships that exist between each work–life construct and the outcome variables of job satisfaction, life satisfaction and turnover intentions are as hypothesised above. The study will also explore what, if any, differences exist between groups of legal practitioners in terms of work–life balance and the outcome variables. Ultimately, the study aims to discover the perceptions of work–life balance, job satisfaction and life satisfaction of legal practitioners within WA.

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66   See, eg, Deborah L Rhode, 'Lecture: Balanced Lives for Lawyers' (2002) 70 *Fordham Law Review* 2207; Lawrence J Fox, 'End Billable Hour Goals ... Now' in Lawrence J Fox (ed), *Raise the Bar: Real World Solutions for a Troubled Profession* (American Bar Association, 2007) 15.

67   See, eg, Lea E Delossantos, 'A Tangled Situation of Gender Discrimination: In the Face of an Ineffective Anti-discrimination Rule and Challenges for Women in Law Firms – What Is the Next Step to Promote Gender Diversity in the Legal Profession?' (2007) 44 *California Western Law Review* 295, 303–4.

68   See, eg, Campbell, Charlesworth and Malone, above n 63.

69   John Monahan and Jeffrey Swanson, 'Lawyers at Mid-Career: A 20-Year Longitudinal Study of Job and Life Satisfaction' (2009) 6 *Journal of Empirical Legal Studies* 451.

IV   METHODOLOGY

A   Procedure

The Human Research Ethics Office at the University of Western Australia approved the conduct of this research in accordance with its ethics review and approval procedures. Legal practitioners were contacted using an approved participant recruitment email which included a uniform resource locator ('URL') link to the survey website.

The Legal Practice Board of WA ('LPBWA') List of Certified Practitioners includes the names of over 5000 practitioners who hold a current practising certificate. The list was filtered to compile a list of 592 practitioners working in the state and Commonwealth government and a separate list of 544 practitioners working as internal counsel. Email lists were developed using the standard email address format for each individual's firm or organisation. Using a computer macro developed specifically for the present study, an email was sent out automatically with a personalised greeting to each practitioner.

The Yellow Pages online directory provided 92 email addresses for solicitors, which included a combination of sole practitioners and small law firms. The Blackstone Careers Handbook was used to develop an email list for 71 local and rural firms. A standardised email was sent out automatically to each email address using the computer macro.

A number of representatives within large law firms assisted in distributing a standardised email to legal practitioners within their WA offices. Firms exercised their discretion in deciding which legal practitioners, if any, would receive the email. The Western Australian Bar Association ('WABA') distributed the email to all members of the WABA. In addition, the LPBWA's weekly e-newsletter 'Friday Facts' included a short advertisement including a URL link to the survey website.

Potential survey participants accessed a URL link to the survey website. Each potential survey participant was presented with the participant information form. The form discussed the purpose of the study, confidentiality and anonymity, and voluntary participation in the survey. Participants submitted completed surveys online and data was returned in group-form only. Participation in the study was on a voluntary basis and participants did not receive compensation. Survey data was collected over two weeks during August 2012.

B   Participants

The present study uses data collected from an electronic survey distributed to legal practitioners in WA. The final sample excluded 36 participants who did not indicate that they held a current practising certificate for the LPBWA or were currently completing practical legal training and a further 27 participants who failed to provide a response to each non-demographic question. The participant responses provided 305 completed surveys meeting the participant profile (less than 80 per cent), which supplied the data used in the statistical analyses. As

described above, the participant recruitment procedures did not provide data for a reliable estimate of the response rate.

The basic demographic characteristics of the final sample of participants (excluding 'no answer' responses) include the following:

- 42 per cent of the respondents were male and 58 per cent were female;
- the average age of respondents was 39 years (standard deviation = 10.8);
- the majority of respondents were from metropolitan WA (98 per cent);
- the majority of respondents held a current practising certificate (95 per cent), while other respondents were currently completing practical legal training (5 per cent);
- 28 per cent of the respondents worked in large law firms (50 lawyers or more); 27 per cent in government, public interest or legal education; 18 per cent as in-house counsel; 18 per cent in medium law firms (10–50 lawyers) or small law firms (less than 10 lawyers); 6.9 per cent in sole practice or self-employment; and 2.6 per cent in other firms or organisations;
- 88 per cent of the respondents were in full-time employment and 11 per cent were in part-time employment;
- the majority of respondents were married or in a de facto relationship (69 per cent); the majority of respondents' partners were working (87 per cent); and 38 per cent of respondents had dependent children sharing residence; and
- the majority of respondents indicated Australian as part or the whole of their ethnic background (62 per cent).

C   Measures

The complete survey questionnaire contained a total of 42 questions. All measures were derived and adapted from existing studies and all have demonstrated sound psychometric properties. The measures of conflict, enrichment and balance from earlier 'work-family' studies were modified to allow for a broader 'work–life' assessment. Phrases relating to 'family' matters were replaced with references to 'life'. The survey instructions clearly set out the following definitions: '[w]ork refers to work responsibilities, activities and relationships that are associated with your occupation as a legal practitioner' and '[l]ife refers to personal factors outside of work, which may include relationships with friends, family and partners; care for children and elderly; household responsibilities; religious and spiritual activities; community and volunteer activities; leisure and free time.' The response to each item was made on a five-point Likert scale (where 1 means strongly disagree and 5 means strongly agree), except for questions relating to each participant's demographic background. Internal reliability analyses yielded scores above the generally acceptable level of 0.7 for each of the following six measures.

1 *Work–Life Conflict*

Work–life conflict was assessed with items adapted from work-family conflict items in a study by Carlson et al.[70] The instrument developed and validated in that study demonstrated internal consistency reliabilities for each dimension ranging from 0.79 to 0.89. This measure provides the researcher flexibility to measure the dimensions of conflict individually or to measure a global composite of conflict. For the sake of economy and usability, the present study included only one item for each dimension of work–life conflict. The items assessed work–life conflict in terms of the three forms of conflict identified in the literature: time-based conflict, strain-based conflict and behaviour-based conflict. Responses to all six items were averaged to produce a total work–life conflict score, with 1 representing the lowest work–life conflict level and 5 representing the highest.

Work-to-life conflict was measured by three items:

- The time I spend on work often interferes with my life;
- Due to stress or tiredness from work, I often participate less in life; and
- The behaviour that is effective and necessary for me at work would be counterproductive in life.

Life-to-work conflict was measured by three items:

- The time I spend on life often interferes with work;
- Due to stress or tiredness from life, I am often less effective at work; and
- The behaviour that is effective and necessary for me in life would be counterproductive at work.

2 *Work–Life Enrichment*

Work–life enrichment was assessed with items adapted from work-family enrichment items in a study by Carlson et al.[71] The instrument developed and validated in that study is considered to be the strongest in work-family enrichment literature,[72] with internal consistency reliabilities for each dimension ranging from 0.73 to 0.91. For the sake of economy and usability, the present study included only one item for each dimension of work–life enrichment. Responses to all six items were averaged to produce a total work–life enrichment score, with 1 representing the lowest work–life enrichment level and 5 representing the highest.

Each measure had two components (resource gain and enhanced functioning) so responses would reflect the influence of work on life, and life on work. The instructions clearly stated that respondents must indicate agreement with each item as a full statement and gave an example. The 'double-barrelled' question format together with proper instructions has been found to adequately capture

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70   Carlson, Kacmar and Williams, above n 52.
71   Carlson et al, above n 56.
72   Carlson and Grzywacz, above n 58.

both components of enrichment: respondents have successfully identified resource gains and whether they led to enhanced functioning.[73]

Work-to-life enrichment was measured by three items:

- Work helps me to gain knowledge and skills and this helps me in life;
- Work makes me feel cheerful and this helps me in life; and
- Work provides me with a sense of accomplishment and this helps me in life.

Life-to-work enrichment was measured by three items:

- Life helps me to gain knowledge and skills and this helps me at work;
- Life makes me feel cheerful and this helps me at work; and
- Life causes me to be more focused at work and this helps me be a better worker.

3   *Work–Life Balance*

Work–life balance was measured by three items adapted from items in a study by Carlson et al.[74] The instrument developed in that study is distinctive in the work-family balance literature because it considers balance as a construct distinct from conflict and enrichment. Evidence of discriminant validity and reliability in the study suggests that the measure accurately represents work–life balance. For the sake of economy and usability, the present study included only three items to measure work–life balance. Responses to all three items were averaged to produce a total work–life balance score, with 1 representing the lowest work–life balance level and 5 representing the highest.

Work–life balance was measured by three items:

- I am able to negotiate and accomplish what is expected of me at work and in life;
- People who are close to me would say that I do a good job of balancing work and life; and
- It is clear to me, based on feedback from people at work and in my life, that I am accomplishing both my work and life responsibilities.

4   *Job Satisfaction*

Job satisfaction was measured using the job satisfaction subscale in the Michigan Organizational Assessment Questionnaire ('MOAQ').[75] Bowling and Hammond's meta-analytic study found that the subscale is a reliable and

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73   Carlson et al, above n 56, 141–3.
74   Carlson, Grzywacz and Zivnuska, above n 28.
75   Cortlandt Cammann et al, 'Michigan Organizational Assessment Questionnaire' in Stanley E Seashore et al (eds), *Assessing Organizational Change: A Guide to Methods, Measures, and Practices* (Wiley, 1983) 71.

construct-valid measure of global job satisfaction.[76] The present study included all three items from the original version of the MOAQ, including one reverse-scored item ('In general, I don't like my job'). The phrasing was altered for one item (from 'In general, I like working here' to 'In general, I like my work') to ensure participants and firms were not uneasy about the questioning. Although the original MOAQ used a seven-point scale, the present study follows the path of other researchers[77] in using a five-point scale. Responses to all three items were averaged to produce a total job satisfaction score, with 1 representing the lowest job satisfaction level and 5 representing the highest.

Job satisfaction was measured by three items:

- All in all I am satisfied with my job;
- In general, I don't like my job; and
- In general, I like my work.

5   *Life Satisfaction*

Life satisfaction was measured by three items from a study by Diener et al.[78] The instrument developed in that study demonstrates convergent and discriminant validity as a measure of global life satisfaction.[79] For the sake of economy and usability, the present study included only three items. The selected items demonstrated the highest factor loadings and correlations, ranging from 0.69 to 0.84.[80] Responses to all three items were averaged to produce a total life satisfaction score, with 1 representing the lowest life satisfaction level and 5 representing the highest.

Life satisfaction was measured by three items:

- In most ways my life is close to my ideal;
- The conditions of my life are excellent; and
- I am satisfied with my life.

6   *Turnover Intentions*

Carlson et al [81] measured turnover intentions using items adapted from Seashore et al. Their research identified the need for further investigation of the relationship between turnover intentions and the new measure of work-family balance. The four items in the present study were modelled on the example item in the study by Carlson et al. The measures assessed respondents' intentions in

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76   Nathan A Bowling and Gregory D Hammond, 'A Meta-Analytic Examination of the Construct Validity of the Michigan Organizational Assessment Questionnaire Job Satisfaction Subscale' (2008) 73 *Journal of Vocational Behavior* 63.
77   See, eg, Carlson, Grzywacz and Zivnuska, above n 28, 1469, 1472.
78   Ed Diener et al, 'The Satisfaction with Life Scale' (1985) 49 *Journal of Personality Assessment* 71.
79   William Pavot and Ed Diener, 'Review of the Satisfaction with Life Scale' (1993) 5 *Psychological Assessment* 164.
80   Diener et al, above n 78, 72.
81   Carlson, Grzywacz and Zivnuska, above n 28, 1471.

relation to four specific career pathways relevant to the WA legal profession. The present study included one reverse-scored item ('I will actively seek a new position within my current firm / business'). Responses to all four items were averaged to produce a total score for turnover intentions, with 1 representing the lowest turnover intentions level and 5 representing the highest.

Turnover intentions were measured by 4 items:

In the next 5 years:

- I will actively seek a new position within my current firm/business;
- I will actively seek a new job in a different firm/business within the legal profession;
- I will actively seek a new job in a firm/business outside of the legal profession; and
- I will actively seek membership of the Western Australian Bar Association as an independent barrister.

7   *Demographic Background*

The survey questionnaire solicited information regarding the demographic background of participants. First, participants were asked about their gender, age, location in WA and whether they held a current practising certificate from the LPBWA. Participants were then asked to describe their current work situation (eg, full-time, part-time, self-employed, casual), average weekly hours of paid work, the type of organisation they work in (eg, large, small or medium law firm; government, public interest or legal education; in-house counsel), position (eg, associate, senior associate, partner, in-house counsel) and area of law (eg, corporate, criminal, litigation). Lastly, participants reported on their personal and household taxable incomes, marital status, partner's current work situation, dependent children and ethnic background.

D   Data Analysis

The data was analysed using IBM SPSS Statistics 20. For descriptive purposes, the mean scores were calculated for work–life balance, work–life conflict, work–life enrichment, job satisfaction, life satisfaction and turnover intentions.

Two-tailed Pearson correlations were used to examine the relationships between work–life conflict, enrichment, and balance and each of the outcome variables. Correlations indicate the possible relationship or interdependence between the values of two or more variables of the same phenomenon. [82] Following Cohen's guidelines[83] for correlation coefficients, $0.1 \leq r \leq 0.3$ is a small

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82   C M Chikkodi and B G Satyaprasad, *Business Statistics* (Himalaya Publishing, 2nd ed, 2010).

83   Jacob Cohen, *Statistical Power Analysis for the Behavioral Sciences* (Lawrence Erlbaum Associates, 2nd ed, 1988).

effect size (weak correlation), $0.3 \leq r \leq 0.5$ is a medium effect size (moderate correlation), and $r \geq 0.5$ is a large effect size (strong correlation).

Correlations and multiple regressions were used to determine whether the work–life balance questions actually measured something distinct from work–life conflict and enrichment. Discriminant validity refers to the degree to which a construct is distinct from other constructs. Following the procedure used by Carlson, Kacmar and Williams,[84] discriminant validity is demonstrated if the correlations are below 0.60. Multiple regression analysis was used to determine whether work–life conflict and work–life enrichment scores can be used to predict the overall work–life balance scores for individuals. Furthermore, hierarchical regression analysis was used to examine whether work–life balance accounts for significant additional variance in the outcome variables, above and beyond the effects of work–life conflict and enrichment.

Finally, t-tests were used to examine whether differences in work–life balance scores were statistically significant, in other words, that the differences were not due to random chance. T-tests are significant where alpha levels are less than 0.01. Respondents were grouped according to their demographic background variables, including gender, age and marital status. Graphs were used to illustrate the statistically significant differences between the relevant groups of respondents.

V   RESULTS

A   Mean Scores and Correlations

Table 1 lists the mean scores, standard deviations and correlations for each of the work–life constructs and outcome variables to three significant figures. For each mean score, the lowest possible score was 1 and the highest possible score was 5.

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84   Carlson, Kacmar and Williams, above n 52.

Table 1: Means, Standard Deviations and Correlations among the Variables (N=305, *p>0.01)

Variable	*Means*	*SD*	1	2	3	4	5	6
Work–life balance	3.42	0.856	1					
Work–life conflict (overall)	2.81	0.599	-0.507*	1				
Work–life enrichment (overall)	3.84	0.512	0.417*	-0.401*	1			
Job satisfaction	3.79	0.747	0.467*	-0.375*	0.606*	1		
Life satisfaction	3.30	0.853	0.624*	-0.452*	0.453*	0.530*	1	
Turnover intentions	2.51	0.662	-0.263*	0.227*	0.460*	-0.444*	-0.250*	1

The correlations provide support for Hypothesis 1 (see above). Work–life balance was found to be distinct from work–life conflict and work–life enrichment. The results demonstrate that:

- work–life balance has a strong negative correlation with work–life conflict (r=-0.507; p<0.01);
- work–life balance has a moderate positive correlation with work–life enrichment (r=0.409; p<0.01); and
- there is a moderate negative correlation between work–life conflict and enrichment (r=-0.401; p<0.01).

The result of each correlation is below 0.60 which demonstrates discriminant validity between the work–life constructs. The work–life balance measure is a unique assessment of balance and is distinct from the measures of work–life conflict and enrichment.

The correlations provide moderate to strong support for Hypotheses 2a, 2b, 3a, 3b, 4a and 4b (see above). Each work–life construct was found to have a statistically significant association with job satisfaction and life satisfaction:

- Work–life balance has a moderate positive relationship with job satisfaction (r=0.467; p<0.01) and a strong positive relationship with life satisfaction (r=0.624; p<0.01);
- Work–life conflict has a moderate negative relationship with job satisfaction (r=-0.375; p<0.01) and a moderate negative relationship with life satisfaction (r=-0.452; p<0.01); and
- Work–life enrichment has a strong positive relationship with job satisfaction (r=0.606 p<0.01) and a moderate positive relationship with life satisfaction (r=0.453; p<0.01).

In addition, the correlations provide weak to moderate support for Hypotheses 2c, 3c and 4c (see above). Each work–life construct was found to have a statistically significant association with turnover intentions:

- work–life balance has a weak negative relationship with turnover intentions (r=-0.263; p<0.01);

- work–life conflict has a weak positive relationship with turnover intentions (r=0.227; p<0.01); and

- work–life enrichment has a moderate negative relationship with turnover intentions (r=-0.460; p<0.01).

Overall, the results indicate that high work–life balance, high work–life enrichment and low work–life conflict are associated with greater job satisfaction and life satisfaction. Conversely, low work–life balance, low work–life enrichment and high work–life conflict are associated with greater intentions to turnover.

B   Regression Analysis

The multiple and hierarchical regressions provide further support for Hypothesis 1, namely, that work–life balance is distinct from conflict and enrichment. Hierarchal regression is a variant of basic multiple regression which allows for the order of entry of variables to be specified, controlling the effects of covariates one by one. Each outcome variable was analysed to identify the variance which could be accounted for by work–life conflict, then work–life enrichment and finally work–life balance. The results of the multiple regressions indicate that the work–life conflict and work–life enrichment variables are not significant predictors of work–life balance (p<0.01). Furthermore, the hierarchical regressions indicate that work–life balance accounts for additional variance in each of the outcome variables, above and beyond work–life conflict and work–life enrichment. These results demonstrate that:

- work–life conflict and enrichment account for 32.6 per cent of the variance in job satisfaction, and work–life balance contributed an additional 4.49 per cent of variance;

- work–life conflict and enrichment accounted for 30.6 per cent of the variance in life satisfaction, and work–life balance contributed an additional 14.7 per cent of variance; and

- work–life conflict and enrichment accounted for 11.5 per cent of the variance in turnover intentions, and work–life balance contributed an additional 1.15 per cent of variance.

The beta values for the hierarchical regressions demonstrate that work–life balance contributes significant explained variance to each outcome variable, in addition to the significant explained variance explained by work–life conflict and enrichment.

C   Differences between Respondents

T-Tests were performed to explore Hypothesis 5, in order to determine whether there were statistically significant differences in the work–life balance scores between different groups of respondents. Respondents who indicated 'no answer' to a demographic question were excluded from the respective t-test. The results provide some support for Hypothesis 5, but generally demonstrated no statistically significant differences between work–life balance scores of the

different groups of respondents. Further t-tests mostly revealed no significant differences in job satisfaction, life satisfaction or turnover intentions between groups of respondents.

The primary exception that provides support for Hypothesis 5 was the result of the t-test between respondents who work an average of 40 hours or less and respondents who work more than 40 hours per week. The results demonstrate a statistically significant difference with respondents who work less than 40 hours per week reporting a greater work–life balance than those who worked more than 40 hours per week (DF=288, F=11.7, t=3.89, p<0.01).

These results led to further investigation to explore whether the average weekly hours of paid work created differences with any of the other outcome variables. The t-tests revealed one other statistically significant difference: respondents working more than 40 hours per week were found to have lower life satisfaction scores than those who worked less than 40 hours per week (DF=288, F=0.280, t=2.77, p<0.01). For illustrative purposes, Figure 1 and Figure 2 provide a comparison of the work–life balance and life satisfaction scores (rounded to the nearest number) of respondents grouped by average weekly hours of paid work. It is interesting to note that the large majority of respondents (68.8 per cent) indicated that they work over 40 hours per week.

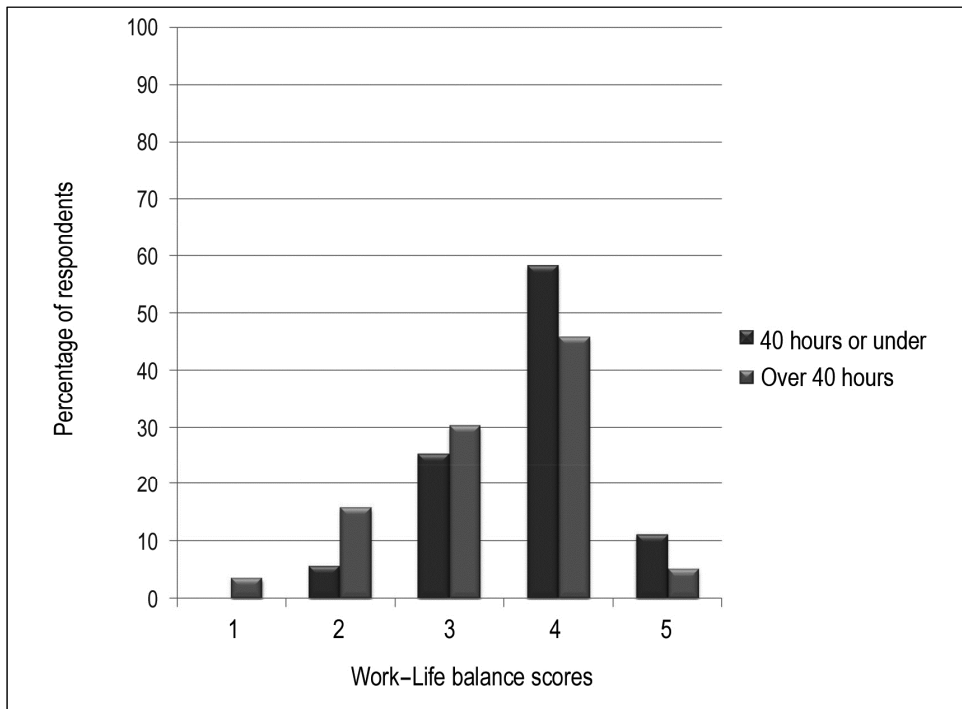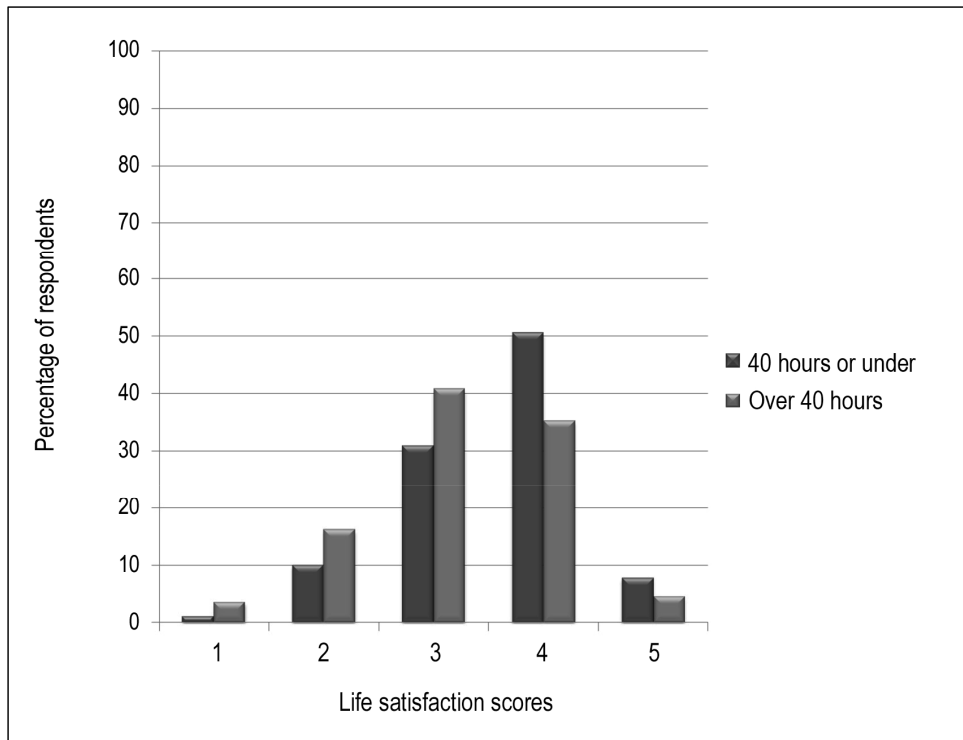Figure 1: Comparison of Work–Life Balance

Figure 2: Comparison of Life Satisfaction

Based on these significant results, further t-tests were used to determine whether there were differences in the average weekly hours of different groups of respondents across key demographic variables. The results demonstrated that:

- male respondents reported working significantly more hours than their female counterparts did (DF=300, F=6.21, t=3.06, p<0.01);
- respondents earning over $150 000 per annum work reported working significantly more hours than respondents earning less than $150 000 reported (DF=273, F=0.686, t=-2.85, p<0.01);
- respondents working in large law firms work reported working significantly more hours each week than those in government reported (DF=164, F=0.071, t=3.65, p<0.01); and
- respondents with partners who are in full-time employment reported working fewer hours than respondents with partners who are not currently in paid employment reported (DF=164, F=1.24, t=2.21, p<0.01).

D   Qualitative Comments

The present study included a comment box with the open-ended question: 'What does work–life balance mean to you?' The survey responses generated over 200 qualitative comments with many recurring themes. The comments revealed a diverse range of approaches to work–life balance and the realities of working within the legal profession. A selection of themes and comments is detailed below.

A number of responses reflected the notion that work–life balance involves prioritising life over work, for example:

> *Working to live and not living to work.*

> *To start with you've put it around the wrong way. It should be life-work balance. It means that you should put your life first and that work is a means to support your life.*

> *It means being able to work to earn a good living so that I can enjoy some of the better things in life. It also means not having to work too many hours such that I cannot enjoy the simple things in life.*

In contrast, other respondents approached work–life balance as requiring a contest between work and life:

> *Not sacrificing life over work and not sacrificing work over life.*

> *50:50*

> *[Work–life balance] is about throwing all the balls up in the air and hoping you catch some of them but knowing you won't catch all of them.*

> *Give and take.*

> *There is no balance between work and life – at any given moment, one is prevailing over the other.*

> *There seems to be no way to genuinely do both.*

Furthermore, numerous respondents also expressed doubt or scepticism as to whether work–life balance is achievable in the legal profession:

> *Working takes up the balance of your life.*

> *[Work–life balance] is a joke made up by partners of law firms who paid consultants to invent it.*

> *It would be nice to actually limit myself to the 37 hour week I am nominally paid for.*

> *[Work–life balance] is almost unheard of [in] private legal practice as employers and clients have unrealistic expectations.*

> *This is something the legal profession does not allow ... That is no-one's fault. That is part of being a lawyer.*

> *[Work–life balance means] not being available 24 hrs a day 7 days a week by electronic means.*

Several responses presented work–life balance as an elusive goal:

> *The holy grail.*

> *That happy nirvana where one can live successfully in all areas of life.*
>
> *The impossible dream.*
>
> *Still trying to find out if it really exists!*

On the other hand, a few respondents did not view work and life as conflicting domains:

> *I do not regard work and life as distinct or opposed concepts.*
>
> *Work offers me the means to engage in all the things I love about life.*
>
> *I think the dichotomy is silly. Work is part of life.*
>
> *[Work–life balance is] being able to enjoy the best of both worlds.*

Notably, many of these comments relate to the number of hours worked, which was a major result in the quantitative section of the study.

VI   DISCUSSION

A   Paradox of the Legal Profession

The responses to each work–life construct and outcome variable provide an interesting snapshot of the legal profession. A substantial proportion of respondents do not experience work–life balance or life satisfaction: 32.8 per cent scored 3 or less for work–life balance and 39 per cent scored 3 or less for life satisfaction. While a substantial majority of respondents indicated that work caused conflict with life, very few respondents indicated that life caused conflict with work: 27.9 per cent scored 4 or more for work-to-life conflict and 0.02 per cent scored 4 or more for life-to-work conflict. However, an overwhelming 82 per cent of respondents reported experiencing job satisfaction and 44.6 per cent of respondents reported experiencing work–life enrichment. Respondents indicated that they experienced both directions of work–life enrichment: 50.2 per cent scored 4 or more for work-to-life enrichment and 61.6 per cent scored 4 or more for life-to-work enrichment.

The descriptive statistics in the present study illustrate the paradox of the legal profession: despite poor work–life balance and life satisfaction, most respondents reported high levels of job satisfaction. The literature indicates that role salience could affect an individual's assessment of work–life balance,[85] which may explain the apparent discord between the results. Role salience refers to an individual's priorities and preferences about whether to focus on work or non-work activities. Lawyers are notoriously described as 'workaholics', which indicates that legal practitioners may prioritise and prefer work over other life activities.[86] Thus, a lawyer who does not meet his or her role-related expectations

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85   Thomas Kalliath and Paula Brough, 'Work–Life Balance: A Review of the Meaning of the Balance Construct' (2008) 14 *Journal of Management and Organization* 323.

86   Leslie Larkin Cooney, 'Lawyer, Heal Thyself: Bringing Rational Expectations to the Law Firm Environment' (2001) 22 *Whittier Law Review* 967.

in the life domain could still enjoy a genuine and positive engagement with the challenging work of legal practice. It is interesting to consider the priorities and preferences of legal practitioners which may lead to greater time and energy spent on work activities at the expense of non-work activities. The present study suggests that lawyers favour work activities and job satisfaction, which appears to come at the expense of work–life balance and life satisfaction.

B Work–Life Balance and Turnover Intentions

It is interesting that only 12.8 per cent of respondents indicated an intention to leave their current organisation within the next five years, while the *NARS Report*[87] found that 37 per cent of females and 31 per cent of males were considering a career move in the next five years. The apparent disparity between the results of the present study and the concerns about lawyer attrition rates in other studies might be explained by the particular phrasing of the survey questions and demographic profiles of the respondents. The relevant measures in the present study asked participants to report whether they 'will actively seek' one of four specified career moves in the next five years. In contrast, the *NARS Report* first asked respondents to indicate generally whether they 'would consider' a career move. Those who indicated they were considering a career move were then asked about a timeframe (a 'not sure' option was available) and then asked which of the four specified career moves they might consider. The relevant measures in the present study asked participants to report an active intention to seek a specific career move in the next five years. In comparison, the open-ended questions in the *NARS Report* merely asked respondents to report on their passive consideration of possible career moves without a definite timeframe. Furthermore, the *NARS Report* had a much higher proportion of female respondents (72 per cent female and 28 per cent male), with more female respondents than male respondents reporting dissatisfaction with work–life balance (30 per cent and 26 per cent respectively). The different survey questions and demographic profiles provide a reasonable explanation for the higher turnover intentions reported in the *NARS Report*.

The results of the present study demonstrate only weak to moderate associations between the work–life constructs and the outcome of turnover intentions. Carlson, Grzywacz and Zivnuska suggest that work–life constructs have a clear relationship with affective outcomes, such as job satisfaction and life satisfaction, but a more indirect relationship with behavioural outcomes, such as turnover intentions.[88] It would be interesting to explore turnover intentions as a behavioural measure of job satisfaction, rather than as an outcome variable; however, this assumes that unhappy individuals change jobs or intend to change

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87   *NARS Report*, above n 11.
88   Carlson, Grzywacz and Zivnuska, above n 28.

jobs.[89] Research into career barriers reveals that many factors can limit an individual's career choice and implementation.[90] Potential career barriers include sex and racial discrimination, lack of confidence, disability and health concerns, difficulties with networking, disapproval by significant others and job market constraints. A study by Howieson and Fitzgerald considered the perceptions of law students and legal practitioners that create barriers to a career at the WA Bar.[91] Law students reported that their grades and lack of knowledge about how to become a barrister were the biggest impediments, while legal practitioners were mostly concerned about financial and gender barriers. Therefore, measures of work–life conflict, enrichment and balance appear insufficient to fully explain complex behavioural outcomes such as turnover intentions; yet, the present study builds on the existing literature to offer empirical support for the proposition that work–life balance is negatively associated with turnover intentions.

C   Lawyers from Different Demographic Backgrounds

Surprisingly, the majority of t-tests did not demonstrate statistically significant differences between groups of respondents across various demographic variables. One explanation for these results is the small standard deviation of work–life balance scores which indicates that most respondents' scores were close to the mean rather than spread out over a large range of values. The results are particularly interesting in light of previous studies that examine similar issues within the legal profession. The *NARS Report* demonstrated that female Australian legal practitioners were more dissatisfied with their work–life balance than male legal practitioners (30 per cent and 26 per cent respectively).[92] In contrast, the present study provides no empirical support for different levels of work–life balance between males and females. The demographic profile of respondents might again prove significant to explain this seeming disparity. The sample in the present study included only WA practitioners and less than half of respondents worked in law firms (49 per cent of females and 41 per cent of males), while the majority of respondents from the NARS sample were practitioners in New South Wales (52 per cent) and the substantial majority worked in private practice (61 per cent of females and 66 per cent of males). Although the present study does not demonstrate statistically significant differences in work–life balance between male and female legal practitioners,

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89   See, eg, Ronit Dinovitzer and Bryant G Garth, 'Lawyer Satisfaction in the Process of Structuring Legal Careers' (2007) 41 *Law & Society Review* 1, 8 citing Arne L Kalleberg, 'Work Values and Job Rewards: A Theory of Job Satisfaction' (1977) 42 *American Sociological Review* 124.

90   Jane L Swanson, Kimberly K Daniels and David M Tokar, 'Assessing Perceptions of Career-Related Barriers: The Career Barriers Inventory' (1996) 4 *Journal of Career Assessment* 219; Jill Howieson and Tomas Fitzgerald, 'Demographic Diversity in the WA Bar: A Consistent Failure to Frame the Right Question?' (Research Report, WA Bar Association, July 19 2011) <http://www.wabar.asn.au/images/Demographic%20Diversity%20in%20the%20WA%20Bar%20Report%2019-7-2011.pdf>.

91   Howieson and Fitzgerald, above n 90, 45.

92   *NARS Report*, above n 11, 20.

this does not detract from the already extensive literature on the challenges that women face in the legal profession.

Wallace et al indicates that the contextual characteristics of the employee's law firm are important to understanding these experiences.[93] The literature suggests that work–life tensions differ across sectors, organisation types and location of practice.[94] Female respondents in the *NARS Report* who were dissatisfied with work–life balance were more likely to work in private practice than at the Bar or in-house (34 per cent, 22 per cent and 18 per cent respectively).[95] However, some researchers suggest that while work conditions differs across practice settings and geographical areas, there is not much variation between law firms within geographic areas.[96] It is interesting that the present study reveals no significant differences in work–life balance between lawyers from various employer organisations and geographical areas. The literature is unsettled on the question of whether demographic differences are likely to affect work–life balance among legal practitioners. The results of the present study suggest that work–life balance is mostly a uniform concern within the WA legal profession regardless of the demographic background of legal practitioners.

Perhaps one the most interesting results is the t-test indicating that weekly hours of paid work affect the work–life balance levels of legal practitioners. While anecdote and observation clearly support this idea, the present study provides strong empirical evidence that long work hours can lead to lower levels of work–life balance for legal practitioners. The results demonstrate that legal practitioners with 40 hours or less of weekly paid work report statistically higher work–life balance and higher life satisfaction than legal practitioners with more than the typical 40 hours of weekly full-time work. Similarly, the *NARS Report* found that female respondents dissatisfied with work–life balance were more likely to work 51 hours or more a week (55 per cent) compared to 40 hours or less a week (13 per cent).[97] The present study in conjunction with the NARS findings provide empirical support for the proposition that the legal profession cannot simply push for longer hours by offering 'lifestyle tradeoffs'.[98]

In terms of work–life balance, long hours at work indicate that legal practitioners are not accomplishing role-related expectations in the life domain. Thus, a lawyer could be a high-achieving legal mind, impressing supervisors and co-workers, and finding great satisfaction at work; however, this may come at the expense of life satisfaction and the ability to meet the expectations of significant persons in the non-work domain. Anecdotal evidence supports the notion that 'dollars times hours' is demonstrably bad for the lives of lawyers and renders the

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93   Ibid.
94   Robert L Nelson, 'Organizational Perspectives on Raising the Bar: Five Tentative Solutions' in Lawrence J Fox (ed), *Raise the Bar: Real World Solutions for a Troubled Profession* (American Bar Association, 2007) 53, 61–2.
95   *NARS Report*, above n 11, 24.
96   Nelson, above n 94, 62.
97   *NARS Report*, above n 11, 24.
98   Nelson, above n 94, 60.

rhetoric of work–life balance as 'so many eloquent but meaningless words.'[99] The present study empirically demonstrates that longer than full-time working hours lead to lower work–life balance life satisfaction. The majority of legal practitioners in the present study reported working more than 40 hours per week (69 per cent), with similar findings provided in the *NARS Report* (52 per cent of females and 70 per cent of males).[100] Evidently, the link between working hours and work–life balance and life satisfaction is significant to the Australian legal profession at large.

VII STRENGTHS AND CONTRIBUTIONS

The present study uses measures that are theoretically grounded and which have been validated in previous studies. The work–life balance measure draws on role expectations theory and was empirically validated by Carlson, Grzywacz and Zivnuska.[101] Recent literature in the field indicates that researchers should avoid the assumption that all work–life indicators are equivalent to work–life balance. The present study provides empirical support for the idea that work–life balance is a construct distinct from work–life conflict and enrichment. Furthermore, the present study couples the new work–life balance measure with empirically validated measures for selected work and life outcomes. The results clearly indicate that work–life balance explains additional variance in each of the outcome variables, above and beyond work–life conflict and enrichment. Furthermore, the results provide evidence of statistically significant relationships between the work–life constructs and outcome variables. This provides support for associations between work–life balance and desirable work and life outcomes: high job satisfaction, high life satisfaction and low turnover intentions. The present study has a solid grounding in contemporary theory and corroborates previous research in the work–life balance field.

This study has important practical ramifications for legal practitioners and the organisations employing them. Based on the contemporary definition of work–life balance, the results demonstrate that work–life balance strategies must help individuals manage and meet role-related expectations. The results indicate that work–life balance is not equivalent to an absence of conflict or presence of enrichment. For example, a lawyer who seeks to reduce his or her work hours could experience greater difficulty in meeting the expectations of the work supervisor. A 'flexible hours' program could allow a lawyer to work a tailored and reduced work schedule, but the lawyer's unsupportive supervisor or stigma associated with the program could inhibit the lawyer's professional development.[102] Thus, a decrease in time-based conflict will not necessarily improve work–life balance because the individual may be unable to negotiate and

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99 Fox, above n 66, 22; Turow, above n 5, 9.
100 *NARS Report*, above n 11, 16.
101 Carlson, Grzywacz and Zivnuska, above n 28.
102 Calvert and Hiott-Levine, above n 20, 114.

accomplish acceptable role-related responsibilities. The present study demonstrates that in order to improve work–life balance the legal profession must consider role expectations, in addition to issues of work–life conflict and enrichment.

Furthermore, the present study suggests that employer organisations should develop work–life balance policies and practices that facilitate the negotiation of reasonable and acceptable role-related expectations. Organisational culture, management styles and work processes should encourage individuals to openly negotiate role responsibilities and boundaries. For example, the traditional approach to part-time work arrangements was to treat alternative schedules as accommodations for mothers of young children, which demonstrated the stigma attached to certain flexible work arrangements. Work–life balance is no longer merely a women's issue and 'new times demand new ways to manage legal talent.'[103] Nowadays, lawyers may wish to negotiate between work and other life activities, including travel, sport and elderly care. Work–life balance practices should encourage lawyers to negotiate and renegotiate role expectations in consultation with significant persons in both the work and life domains, such as supervisors, co-workers, spouses, elderly parents and even sporting companions. An organisation's work–life balance strategy should align with long-term objectives and aim to improve the retention of legal talent. Managers and executives can also use the new work–life balance measure in the present study to evaluate the efficacy and cost-effectiveness of new initiatives. This study offers guidance for the practical development and implementation of work–life balance initiatives that allow individuals to negotiate their role-related expectations in order to achieve work–life balance.

This study also holds wider significance to employer organisations, professional associations and the legal profession in Australia. The sample appears representative of many major groups within the profession, including in-house counsel practitioners who are notoriously difficult to contact. The study gives a clear snapshot of the legal profession in WA: significant proportions of lawyers do not report experiencing work–life balance or life satisfaction, yet an overwhelming majority report experiencing job satisfaction. In light of concerns about the attrition rate within the profession, the present study holds particular relevance to human resource management teams and diversity committees within organisations that employ legal practitioners. Recent reports into psychological distress and depression within the legal profession have also brought work–life balance issues to the careful attention of government bodies and policymakers.[104] For similar reasons, the present study is of interest to a number of professional associations, including the Law Society of WA, WABA,[105] and the Law Council of Australia.[106] There is widespread recognition of work–life balance challenges

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103   Ibid 131.

104   See, eg, Beaton Research + Consulting and beyondblue, above n 9.

105   Work–life balance is one of the issues raised in a report to the WABA on diversity at the WA Bar: Howieson and Fitzgerald, above n 90.

106   See, eg, *NARS Report*, above n 11; *Australian Young Lawyers Committee Report*, above n 13.

within the Australian legal profession and the present study is among the first to carefully consider the issue through empirical research.

Finally, an increased awareness of work–life balance is one of the first steps towards systemic cultural change within the Australian legal profession. Individual legal practitioners may be encouraged to learn that work–life balance is slowly but surely becoming a serious consideration for various stakeholders within the profession. Research could branch out to examine work–life policies and practices in employer organisations. At a macro level, future studies may consider the cultural attitudes, values and expectations of the legal profession. Reports on the legal profession in Australia have revealed high levels of psychological distress, depression and substance abuse. High attrition rates are also concerning, particularly among young lawyers and women. It is also important for prospective lawyers to obtain a clear picture of the realities of the legal profession. The present study holds great relevance to law students and graduates, individual practitioners, employer organisations and professional associations. The challenge for the legal profession as a whole is to develop a culture that recognises the value of work–life balance as both a social and business imperative.

VIII   FUTURE RESEARCH

A   Theoretical Underpinnings

To identify the limitations of the present study, it is important to start with the theory that grounds the empirical research on work–life balance. A wide array of work–life definitions and measures populate the literature, limiting the theoretical advancement of the construct.[107] The construct validity of work–life balance is a matter of debate: one of the key issues is whether a measure of work–life balance captures a phenomenon that is distinct from what is assessed by other measures. Until recently, the literature typically defined work–life balance as the absence of work–life conflict. [108] More recent research has examined the positive side of the work–life interface through concepts such as enrichment. A number of contemporary researchers appear to assume that work–life balance simply consists of the conflict and enrichment (or analogous) components.[109] However, recent literature has not identified how an individual's levels of conflict and enrichment could be combined to measure work–life

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107   Kalliath and Brough, above n 85, 323–4.

108   See, eg, National Research Centre for the Working Environment, 'The Construction of the Scales in COPSOQ II' (Report, 2007) <http://www.arbejdsmiljoforskning.dk/~/media/Spoergeskemaer/copsoq/uk/construction-of-the-scales-of-copsoq-ii-22-6.pdf#>; Shirley Dex and Sue Bond, 'Measuring Work–Life Balance and Its Covariates' (2005) 19 *Work Employment and Society* 627.

109   See, eg, Frone, above n 55, where the four-fold taxonomy incorporates both 'conflict' and 'facilitation'; Jeremy Hayman, 'Research Note: Psychometric Assessment of an Instrument Designed to Measure Work Life Balance' (2005) 13(1) *Research and Practice in Human Resource Management* 85, which measured work–life balance in terms of 'interference' and 'enhancement'.

balance. [110] Branching out again, the evolution of role expectations theory suggests that work–life balance is distinct from work–life conflict and enrichment. The present study attempts to clarify the conceptual confusion surrounding work–life balance to improve the development of useful theoretical models and empirical measures. However, further theorising and empirical research is necessary to clarify how the balance construct operates independently of conflict and enrichment.

Further theorising and empirical research is also necessary to clarify the recent shift from 'work-family' to 'work–life' terminology, which allows the field of research to hold relevance to a greater number of people. In the present study, 'life' is broadly defined to refer to any number of personal factors outside of work, which can vary considerably from person to person. Moreover, the present study uses measures of work–life conflict, enrichment and balance that provide overall appraisals of the complex non-work domain.[111] Future research could consider the development of specific work–life balance measures to separately assess performance in different roles within each domain. It would be interesting for future researchers to study work–life constructs at an aggregate level, as well as between pairs of specific work and non-work roles.[112]

B   Empirical Research

The present study uses a sample of 305 completed surveys with a diverse demographic spread of respondents. The vast majority of respondents (98 per cent) were located in metropolitan WA and held a current practising certificate (95 per cent). Future researchers could consider studies that target certain groups of legal practitioners, including lawyers in rural and remote WA, and graduate lawyers who are completing practical legal training. There are specific challenges and issues associated with particular groups of legal practitioners in WA. For example, there is an ongoing problem in recruiting and retaining legal practitioners in rural Australia, which affects regional communities due to restricted access to legal services.[113] Future research could also explore issues specifically related to the high attrition rates of young lawyers, including career intentions and intentions to depart the legal profession.[114] Contemporary studies also reflect a growing interest in the wellbeing and mental health of law students

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110   See, eg, Kelly Dae Hennessy, *Work-Family Balance: An Exploration of Conflict and Enrichment for Women in a Traditional Occupation* (PhD Thesis, University of Maryland, 2007) <http://drum.lib.umd.edu/bitstream/1903/7269/1/umi-umd-4669.pdf>.

111   Grzywacz and Carlson, above n 2, 460.

112   Greenhaus, Collins and Shaw, above n 47, 527.

113   The Law Council of Australia coordinated a nationwide survey to obtain empirical support for anecdotal evidence indicating a shortage of legal practitioners in regional areas of Australia: Law Council of Australia and Law Institute of Victoria, 'Report into the Rural, Regional and Remote Areas Lawyers Survey' (Research Report, Law Council of Australia, July 2009) <http://rrrlaw.com.au/media/uploads/RRR_report_090709.pdf>.

114   *Australian Young Lawyers Committee Report*, above n 13.

in Australia. [115] The present study is concerned with all legal practitioners working within WA: thus, the large and diverse sample of respondents is a notable strength of the empirical research.

Each legal practitioner in the final sample reported on his or her individual experiences in relation to each work–life construct and outcome variable. Self-report correlational data can lead to distorted relationships due to common method bias,[116] which has the potential to over-inflate the associations and results observed in statistical analysis. The present study follows the recommendations of previous researchers to reduce single-source bias by providing respondents with detailed information about the confidentiality and anonymity of survey responses. [117] This decreases socially desirable responding and increases the candidness of respondents. Future researchers could consider the use of multi-source data to include both objective and subjective measures of balance. The definition of work–life balance used in the present study refers to the 'negotiated and shared expectations between role partners' in both domains.[118] In addition to self-report data, future researchers could also seek to include the perspectives of other people who have expectations regarding the focal individual, such as the individual's supervisor and spouse or partner.

Using this self-report data, the present study examines the correlational relationships between work–life constructs and three selected outcomes. Respondents reported their subjective perceptual or affective reactions to balance, rather than balance itself.[119] The work–life balance measures assess the individual's perceived success in meeting his or her role expectations within and across the work and life domains. Future researchers could develop direct, objective measures of work–life constructs which do not depend on self-reported assessments. Furthermore, it would be interesting to examine the moderators between work–life balance and outcome variables.[120] For example, studies could explore whether role salience and boundary flexibility[121] moderate the effects of work–life balance on turnover intentions. Future research could consider the individual differences that may restrict or magnify the relationship between work–life constructs and important outcomes.

Respondents indicated their perceptual and affective reactions to work–life balance through self-report data which was collected at one point in time. Maertz and Boyar[122] identified that an overwhelming majority of empirical studies in this

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115   See, eg, Huggins, above n 8; Kelk, Medlow and Hickie, above n 8; Larcombe et al, above n 8; Larcombe and Fethers, above n 8.

116   See, eg, Carly S Bruck, Tammy D Allen and Paul E Spector, 'The Relation between Work-Family Conflict and Job Satisfaction: A Finer-Grained Analysis' (2002) 60 *Journal of Vocational Behavior* 336, 351.

117   Carlson, Grzywacz and Zivnuska, above n 28, 1478.

118   Ibid 1482.

119   Greenhaus, Collins and Shaw, above n 47, 514.

120   Ibid 528.

121   See, eg, Doan E Winkel and Russell W Clayton, 'Transitioning between Work and Family Roles as a Function of Boundary Flexibility and Role Salience' (2010) 76 *Journal of Vocational Behavior* 336.

122   Maertz and Boyar, above n 49, 69.

field use the 'levels' approach to study the levels of work–life conflict. The 'levels' approach has significant advantages for the present study due to simple efficient data collection and analysis. This leads to larger and more representative samples for authoritative statistical tests and research results that can be applied more generally. Furthermore, 'levels' research provides stronger evidence to support work–life conflict interventions within organisations. While the present study analysed the correlations between the work–life constructs and outcome variables, future studies could examine the causal relationships between these constructs using longitudinal studies. Longitudinal studies are especially interesting in work–life balance research because individuals may alternate their short-term and medium-term focus on work and life domains, while still achieving balance over the long-term.[123] The 'episodes' approach studies specific incidences or occurrences of work–life conflict, making clear temporal distinctions between current and past conflicts. This approach is conducive to longitudinal studies and would allow researchers to study precise attributions of cause.[124] The cross-sectional data in the present study analysed correlations between work–life constructs and outcome variables, which paves the way for future researchers to use longitudinal studies to explore causal relationships between these variables.

IX   CONCLUSION

From a theoretical perspective, the results indicate that work–life balance is a distinct construct that accounts for additional variance in the outcome variables, above and beyond work–life conflict and enrichment. The results also support findings that low work–life conflict, high work–life enrichment and high work–life balance are associated with desirable outcomes (high job satisfaction, high life satisfaction and low turnover intentions). The present study makes a significant contribution to the literature, exploring the issues of work–life balance and important work and life outcomes within the legal profession in WA.

The present study provides a clear snapshot of the legal profession in WA using empirical data from a sample of 305 surveys. A concerning number of legal practitioners do not report experiencing work–life balance (32.8 per cent) or life satisfaction (39 per cent). In addition, a significant proportion of legal practitioners perceive that work conflicts with life (27.9 per cent). However, many legal practitioners report experiencing work–life enrichment (44.6 per cent) and overwhelming numbers report experiencing job satisfaction (82 per cent). Interestingly, only a small proportion of respondents (12.8 per cent) indicated an intention to leave their current organisation within the next five years. Furthermore, it appears that there are generally no significant differences in levels of work–life balance, job satisfaction or life satisfaction between legal

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123   Greenhaus, Collins and Shaw, above n 47, 528.
124   Maertz and Boyar, above n 49, 70–1, 85.

practitioners from different demographic backgrounds. The one exception is that lawyers working more than 40 hours per week appear to experience lower work–life balance and life satisfaction than lawyers working 40 hours or less per week. These results are particularly concerning because the large majority of legal practitioners in the study (68.8 per cent) report working over 40 hours per week.

These results hold contemporary and practical relevance to the legal profession in Australia. Individual legal practitioners and employer organisations need to be careful when selecting and implementing strategies to promote work–life balance. It is important, but not sufficient, to focus on reducing work–life conflict and enhancing work–life enrichment. This study shows that work–life balance is better defined in relation to the accomplishment of role-related expectations, which means that individuals must be able to negotiate reasonable and acceptable role responsibilities and boundaries. Consequently, work–life balance involves the perspectives and participation of significant role-partners in the work and life domains, including supervisors, co-workers and family members. Work–life balance is a social construct and not merely a matter of the individual choice of legal practitioners.

Therefore, the present study highlights the need to increase the awareness of work–life balance issues as a starting point towards wider systemic change in cultural attitudes, values and expectations. Reports on the Australian legal profession reveal high levels of psychological distress, depression and substance abuse. There are serious concerns about high attrition rates, particularly due to young lawyers and women leaving the profession. The welfare of individual legal practitioners is a growing and immediate concern. The profession must focus on improving work–life balance to ensure that the law remains a rewarding and challenging career in the long-term.