

Business of Law**Embrace of work-life balance coming to legal profession | Gary Joseph and Tori Joseph**By **Gary Joseph and Tori Joseph**

Gary Joseph

(January 6, 2021, 8:16 AM EST) -- We are bookends in the profession. The older one nearing the expiry of his useful shelf life as a lawyer (Gary, if you can't tell from the pics) and Tori, the fresh and eager face in the profession.

Change has been dramatic over the 42 plus years that Gary has practised. We lawyers are no longer members of the Law Society of Upper Canada. We are licensees of the Law Society of Ontario. We share that space with paralegals. In court we no longer call our superior court judges "My Lord" or "My Lady." The Ontario government long ago abolished the Queen's Counsel (QC) designation. We have mandatory CPD. We have mandatory Diversity, Equality and Inclusiveness training. There has been a dramatic change with the ascension of women in the profession. Technology has become an essential part of our practices. COVID accelerated our embrace of that. Yet with all this change, perhaps the most fundamental change is yet to come; it is percolating out there, ready to take over the entire practice. That change is the attitude of young lawyers and their wholehearted embrace of work-life balance.



Tori Joseph

The traditional law firm model, the product of decades of compliance, required the young and eager junior lawyer to work around the clock to docket and impress the partners. This period of servitude lasted five to eight years after which the holy grail was awarded and the serf became a partner. Of course, partnership often carried a huge cost, the serf being forced to buy into the partnership. The reward of partnership carried financial obligation, but the reward had its obvious benefits. The serf could now expect a large and eager group of juniors — sorry, associates — to work around the clock to docket and impress the new partner.

This traditional model has led to large and very successful law firms. However, this, what we describe as "rat race culture," appears to be coming to an end. Young lawyers for the most part reject this model. The idea of servitude for years is a poison to work-life balance, and more importantly, often to overall mental health. Work addiction is not an ideal sought by the young. Many and perhaps most young lawyers prefer jobs to careers. Much has been written about millennials' preference for the "gig" economy. This has spilled over to the practice of law.

Coupled with and perhaps part of the embrace of work-life balance is the positive effect the growth of women in the profession has had. Many (but certainly not all) women postpone or interrupt the practice of law to have children and raise their children. More young men, too, are taking advantage of paternity leave to share in childcare responsibilities or in some cases to solely assume these tasks. Years ago, when Gary began practice, for the few women in the profession an interruption in practice for children could be fatal to success in career or perhaps a serious impediment to partnership. Happily, we have moved past such destructive views. We are not quite all the way there yet, but more and more law firms have modern and appropriate family focused policies.

Even though much has changed much remains the same (*plus ça change, plus c'est la meme chose*).

Law schools continue to be high-pressure competitive environments. Law students who can cope survive while those who don't drop out. This milieu led, in the past, to graduates adopting the rat race culture loosely described above. However, there has been in recent years a pushback by millennials who, being no strangers to hard work, still seek a balance in their lives that perhaps previous generations of graduates were either prepared to postpone or abandon altogether. With a better understanding and acceptance of mental health issues, they have and are pushing back. They are forcing law firms to adapt their policies to meet the changing needs and desires of the incoming generation of lawyers. Still many firms seek to hold on to the traditional model.

In our view, firms that adapt will prosper and survive, firms that fail to adapt will ... fail. The traditional law firm model appears to be slowly disappearing in favour of a more progressive model. To be clear, the legal world that Tori is now entering is a far different one which Gary experienced when he graduated law school almost 45 years ago. We welcome this change and believe it to inevitably lead to a healthier and more balanced practising bar.

Gary S. Joseph is the managing partner at MacDonald & Partners LLP. Tori S. Joseph is an articling student at Hull & Hull LLP.

Interested in writing for us? To learn more about how you can add your voice to The Lawyer's Daily, contact Analysis Editor Richard Skinulis at Richard.Skinulis@lexisnexis.ca or call 437- 828-6772.

© 2021, The Lawyer's Daily. All rights reserved.