



ORIGINAL RESEARCH PAPER

Commerce

JUDICIAL PROFESSION AND OCCUPATIONAL STRESS: A SYSTEMATIC REVIEW APPROACH

KEY WORDS: Occupational stress; Work-life balance; Jurisdiction professionals

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ABSTRACT This review investigation highlights the occupational stress problem among jurisdiction professionals. Further, this research makes an effort to study the issues generated in jurisdiction professionals' work-life balance due to occupational stress. Family responsibilities & gathering avoidance, personal discomfort, health issues, and behavioural issues were identified. Implications of this research and future research areas were also discussed.

INTRODUCTION

Work is a necessary aspect of life, and today's work is marked by unpredictability and long hours. People don't have enough time to deal with their own problems. Also, man has too many responsibilities to fulfill: personal, familial, societal, and professional responsibilities, to name a few. It is necessary to ensure that each responsibility is carried out properly. However, there are occasions when people are unable to carry out their tasks, and this incapacity causes stress. People in positions of professional responsibility must work to fulfil their professional commitments in order to survive, care for their families, and meet personal and societal demands. As a result, professional/ work life is a crucial stage in everyone's life.

Professional life is characterized by a number of factors, two of which are particularly essential in the context of occupational stress: organizational demand and employees' competence to perform/deliver the service or goods. When an employee believes that the demands of the stressors (organization) significantly outweigh his or her ability to respond, stress develops (Aswathappa, 2008). Beer and Nawman (1978) defined occupational stress as "A condition arising from the Interaction of people and their jobs and characteristics by changes within people that force them to denote from their normal functioning." Workplace stressors include the nature of the job load, work culture, peer group, work circumstances, given duties and responsibilities, and bosses' attitude toward an employee. Occupational stress is the result of a mismatch between an employee's perception and their capacity to execute. As a result, occupational stress is defined as the combination of the nature of work conditions

with the qualities of the worker such that job demands surpass the worker's ability to cope with them (Brabban and Turkington, 2002).

Work stress is not industry specific. It occurs in every profession only the degree can vary (Brabban and Turkington, 2002). Judiciary is also not untouched from the occupational stress. Judiciary possesses a unique status in society because of high power, positions and responsibilities. Decisions taken by judiciary officers greatly impact the thinking of the society. In democratic country like India where there are lots of political and social problems, judiciary role become prominent to maintain law and order in the country. When government failed to protect citizens rights, at that time judiciary proved its supreme position by issuing direction to government for fulfilling their responsibilities.

Occupational stress among jurisdiction professionals always remains ignored issue in previous jurisdiction researches. So, the researcher tried to collect previous scarce review on jurisdiction professionals' stress for identifying causes and impact of work stress.

Review of literature

There is a scarcity of literature related to stress among jurisdiction professional. The researcher followed a systematic review approach to study occupational stress among judicial professionals. Researches on judicial professionals' occupational stress are discussed here with their key findings:

Author name	Sample	Findings
Ryan et al. (1980)	3,032 trial judges, District of Columbia	The study found that Court room structure; Characteristics of attorneys; Availability of human resource in the court room; Court room personnel support; Individual characteristics of judges; Judges perception towards work impacts the judges' performance.
Rogers et al. (1991)	104 judges and 48 spouses of judges	Study highlighted that judges perceived work itself (e.g. sentencing, child custody, judgment, jury trials) major source of stress. This study further explored that work nature as a major cause of stress as compared of job factors like employer employee relations, role conflicts and career development
Anleu and Mack (2005)	40 magistrates	Study focused on the importance of emotional labour. The study found that magistrates and some of the legal representatives presented in the courtroom manage their emotions like anger, distress against the social problems that may need emotional response.
James, C. (2006)	Sample of lawyers	This study considered working conditions as a major cause of work stress rather than nature of legal work itself. Management issues, long hours of work, absence or poor quality mentoring and supervision in the initial years of practice were also found the cause of work stress among lawyers.
Lustig et al. (2008)	212 immigrated judges United States	The study used Secondary Traumatic Stress Scale (STSC) and the Copenhagen Burnout Inventory (CBI) and found that sampled population was suffering from the secondary traumatic stress.
Flores et al. (2009)	163 American trial judges	Judges facing general stress and trial stress. They also reported highest level of stress during verdict of crimes against children, sexual crimes and violent crimes.

Tsai and Chan (2009)	180 lawyers from 26 law firms in the Taipei Bar	Stress among lawyers associated with their personal and work related burnout. Lawyers perceived higher stress on the basis of job control, psychological demands and efforts
Tsai and Chan (2010)	211 judicial officers (judges, prosecutors)	This study highlighted stress on the basis of Job control, Psychological demand Effort, Reward, Over commitment. Also, research found that judicial officers facing personal work related and client-related burnout problems.
Sharma, A. et al. (2010)	150 lawyers (75 females, 75 males)	Emotional exhaustion, stress due to clients, work under load and economic position is the major cause of job dissatisfaction among lawyers.
Patel et al. (2012)	Sample of 240 lawyers of Sangli	The study found that 88.3% sampled lawyers had experienced stress. Female lawyers experienced more stress and burnout as compared of male lawyers. Job satisfaction found significantly and negatively related with stress.
Patel et al. (2014)	965 judicial personnel of western Maharashtra	Results of the study highlighted that emotional exhaustion, conflicts between values and practices, strained interpersonal relationship, over expectations, jealousy, poor economic position, competition, conflicts between values and practices, reduced personal accomplishment, stress, depersonalization, poor social position, non- availability of resources, work overload, work under load causes stress among judicial personnel.
Teichmann et al. (2015)	Two sample first sample (118 lawyers and legal professionals, 2006) second sample (55 lawyers and legal professionals, 2012)	This study found that home and work imbalance, managerial roles, insufficient recognition, managerial roles and hassles were the major cause of stress among lawyers and legal professionals.
Alaguthankamani (2017)	452 practicing lawyers	Time based stress, Personal competency based stress, Competitive environment based stress, Professional demand based stress, and monetary needs based stress

Suggested measures for stress coping

- The judicial professionals dealing with the criminal defence cases have been found to have more interaction with families regarding the sensitive issues that ultimately results in effectiveness of judicial judgments. So, a need of appropriate coping programs for those judicial professionals required.
- It has been suggested that female judicial professionals stress problems must be considered more seriously. There need to be flexible working patterns for female lawyers to cope up with the issues related to personal and professional life.
- Stress coping programmes should be implemented in the judiciary to combat stress.
- Yoga and meditation classes may be included before every day works which to some extent to help the professionals to manage their stress.
- A healthy environment needs to be established in the law of arms in order to increase the effectiveness in carrying out the various projects and resolving frequent complaints.

CONCLUSION:

There is extensive literature available related to work stress and its impact on work-life balance, but literature is scarce in the context of jurisdictional professionals. So this study is an attempt to strengthen the literature base related to work-related stress and the work-life balance of jurisdiction professionals. Also, through this investigation, potential stressors among jurisdiction professionals were identified that guide the authorities to take corrective actions in this direction. So, there will be harmony between jurisdiction members personal and professional life.

REFERENCES

1. Alaguthankamani, M. (2017). A study of job stress among advocates practicing in Chennai city, Thesis submitted in University of Madras.
2. Anleu, S.R. and Mack, K. (2005). Magistrates' Everyday Work and Emotional Labour. *Journal of Law and Society*, 32(4), 590-614.
3. Aswathappa, K. (2008). *Human resource management: Text and cases*. Delhi Tata McGraw-Hill Publishing.
4. Beeha and Newman (1986), "The current debate about the meaning of job stress." *Journal of Organisation Behaviour Management*.
5. Brabban, A. and Turkington, D. (2002). The Search for Meaning: detecting congruence between life events, underlying schema and psychotic symptoms. In A.P. Morrison (Ed). *A Casebook of Cognitive Therapy for Psychosis* (Chap 5, p59-75). New York: Brunner-Routledge.
6. Flores, D. M., Miller, M. K., Chamberlain, J., Richardson, J. T., & Bornstein, B. H. (2009). Judges' perspectives on stress and safety in the courtroom: An exploratory study. *Court Review*, Volume 45, Issue 3, 76-89
7. James, Colin. (2008). Lawyer Dissatisfaction, Emotional Intelligence and Clinical Legal Education. *Legal Education Review*, 18, 123.

8. Lustig, S.L., Delucchi, K., Tennakoon, L., Kaul, B., Marks, D., and Slavin, D. (2008). Burnout and stress among United States immigration judges. *Bender's Immigration Bulletin*, 13, 22-30.
9. Patel, K.; Jayashree, S.S.; Naik, D. and Behere, V.S. (2014). A study of certain correlates of job satisfaction among judicial personnel, in a district of Western Maharashtra. *Indian J Occup Environ Med.*, 18(2), 68-74. DOI: 10.4103/0019-5278.146894
10. Patel, K.; Rajderkar, S. and Jayashree, Naik. (2012). Occupational Stress and Burnouts as Predictors of Job Satisfaction amongst Lawyers in District Sangli. *National Journal of Medical Research*. 2.
11. Rogers, J.M.; Freeman, S.; Lesage, P. (1991). The Occupational Stress of Judges. *Canadian Journal of Psychiatry*, 36(5), 317-322.
12. Ryan, J.P.; Ashman, A.; Sales, B.D.; Shane-DuBow (1980). *American Trial Judges: Their Work Styles and Performance*, New York and London, The Free Press.
13. Sharma, A.; Verma, S.; Verma, C. and Malhotra, D. (2010). Stress and burnout as predictors of job satisfaction amongst lawyers. *European Journal of Social Sciences*, 14, 348-359.
14. Teichmann, Mare; Kattel, Kaja; Murdvee, Mart and Kerikmäe, Tanel. (2015). Sources of Occupational Pressure Among Lawyers and Legal Professionals. *International and Comparative Law Review*. 15. DOI: 10.1515/iclr-2016-0029.
15. Tsai, Feng-Jen and Chan, Chang-Chuan. (2010). Occupational stress and burnout of judges and procurators. *International archives of occupational and environmental health*, 83, 133-42. 10.1007/s00420-009-0454-1.
16. Tsai, Feng-Jen; Huang, Wei-Lun and Chan, Chang-Chuan. (2009). Occupational Stress and Burnout of Lawyers. *Journal of occupational health*, 51, 443-50. 10.1539/joh.L8179.