



# **Emotional Labor: Smile Like You Mean It**

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AND YOU MAY FIND YOURSELF  
LIVING IN A SHOTGUN SHACK  
AND YOU MAY FIND YOURSELF  
IN ANOTHER PART OF THE WORLD  
AND YOU MAY FIND YOURSELF  
BEHIND THE WHEEL OF A  
LARGE AUTOMOBILE  
AND YOU MAY FIND YOURSELF  
IN A BEAUTIFUL HOUSE  
WITH A BEAUTIFUL WIFE  
AND YOU MAY ASK YOURSELF:  
**WELL...HOW DID I GET HERE?**

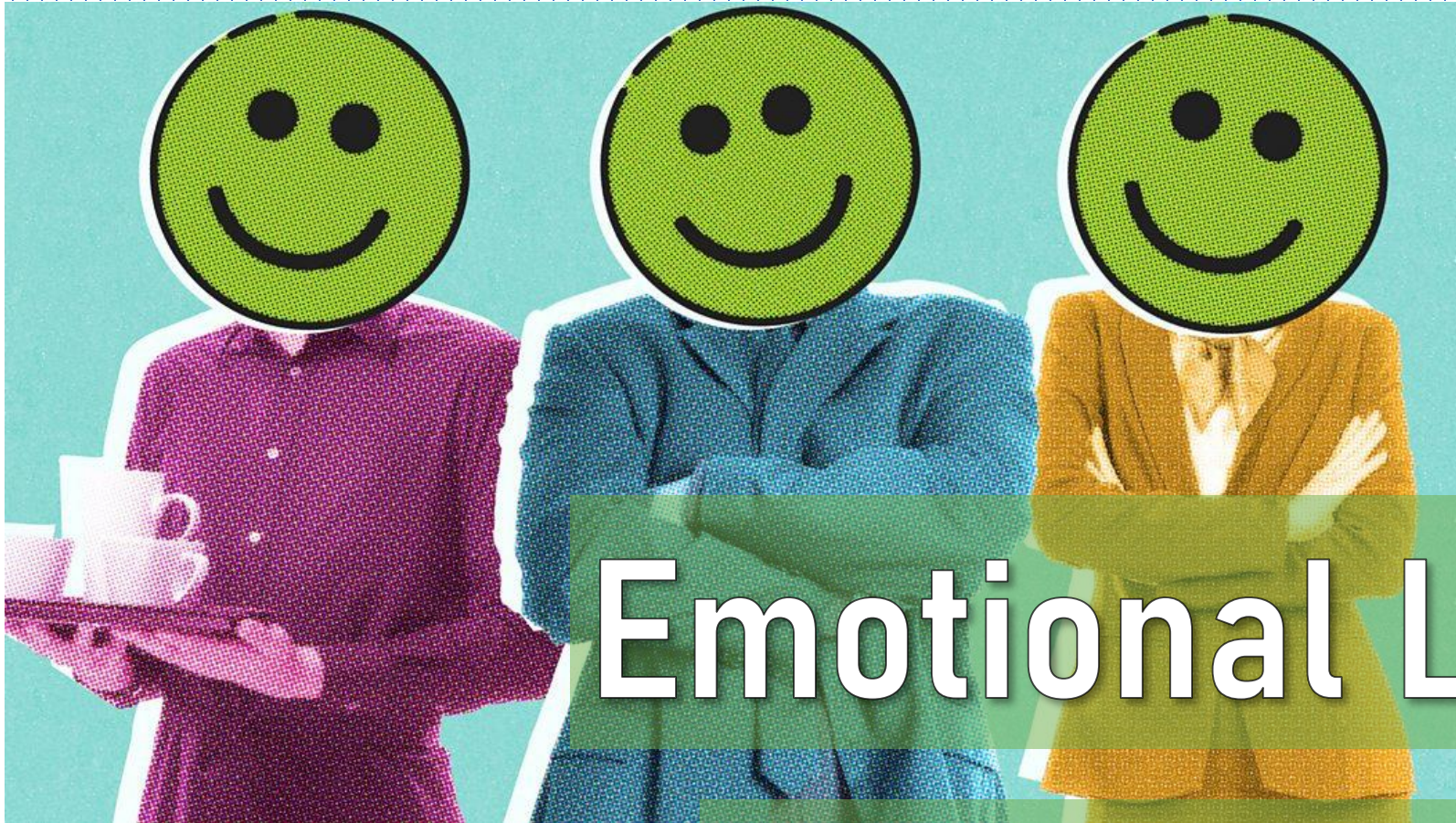


“The world breaks everyone and afterward many are strong at the broken places. But those that will not break it kills. It kills the very good and the very gentle and the very brave impartially. If you are none of these you can be sure it will kill you too but there will be no special hurry.”

Ernest Hemingway, *A Farewell to Arms*, 1929.



Roy Lichtenstein, *Drowning Girl*, 1963. MoMA



# Emotional Labor:

*Regulating or managing emotional expressions with others as part of one's professional work role*

# Emotional labor affects everyone differently.

*If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music which he hears, however measured or far away.*

Henry David Thoreau, *Walden; or, Life in the Woods*, 1854.



Come, join the legal profession! A thriving field where you will...

- Provide legal support and guidance to clients!
- Find ethical solutions to legal matters!
- Communicate with clients!
- Strategize on how to resolve cases in a favorable and cost-effective manner!
- Develop arguments!
- Represent clients in civil and criminal matters!
- Stay informed about current legislation!
- Prepare legal documents!

And for hearing officers and judges, you will...

- Hear allegations of the prosecuting and defending parties!
- Listen to witness testimony!
- Rule on the admissibility of evidence!
- Inform defendants of their rights!
- Instruct the jury!
- Rule on motions!
- Determine the guilt or innocence of criminal defendants and impose sentences on defendants found guilty!\*
- Determine liability or damages!\*

*\*nonjury trials only*

- Provide employees and employers the opportunity to resolve disputes over workers' compensation claims!
- Review signed medical reports, statements from witnesses, company reports, and any other written documents relating to the issue to be decided!
- Remain neutral and impartial!
- Consider testimony presented at hearing!
- Issue written decisions!

See [Indeed.com/career-advice/careers/what-does-an-attorney-do](https://indeed.com/career-advice/careers/what-does-an-attorney-do);  
Industrial Commission website; <https://www.careerexplorer.com/careers/judge/>



Norman Rockwell, *Law Student (Young Lawyer)*, 1927.  
*Saturday Evening Post* cover.



# But don't forget to read the fine print! You might...

- Act as a counselor/therapist
- Provide a soothing presence in the face of frustration and pain
- Deflect inappropriate passes and remarks
- Become a sounding board for negative comments
- Act as a financial adviser
- Be a friend
- Be a “toxin handler”
- Worry that, if we forego any of the aforementioned responsibilities, that we'll be fired, given a bad review online, or have a legally baseless grievance filed against us



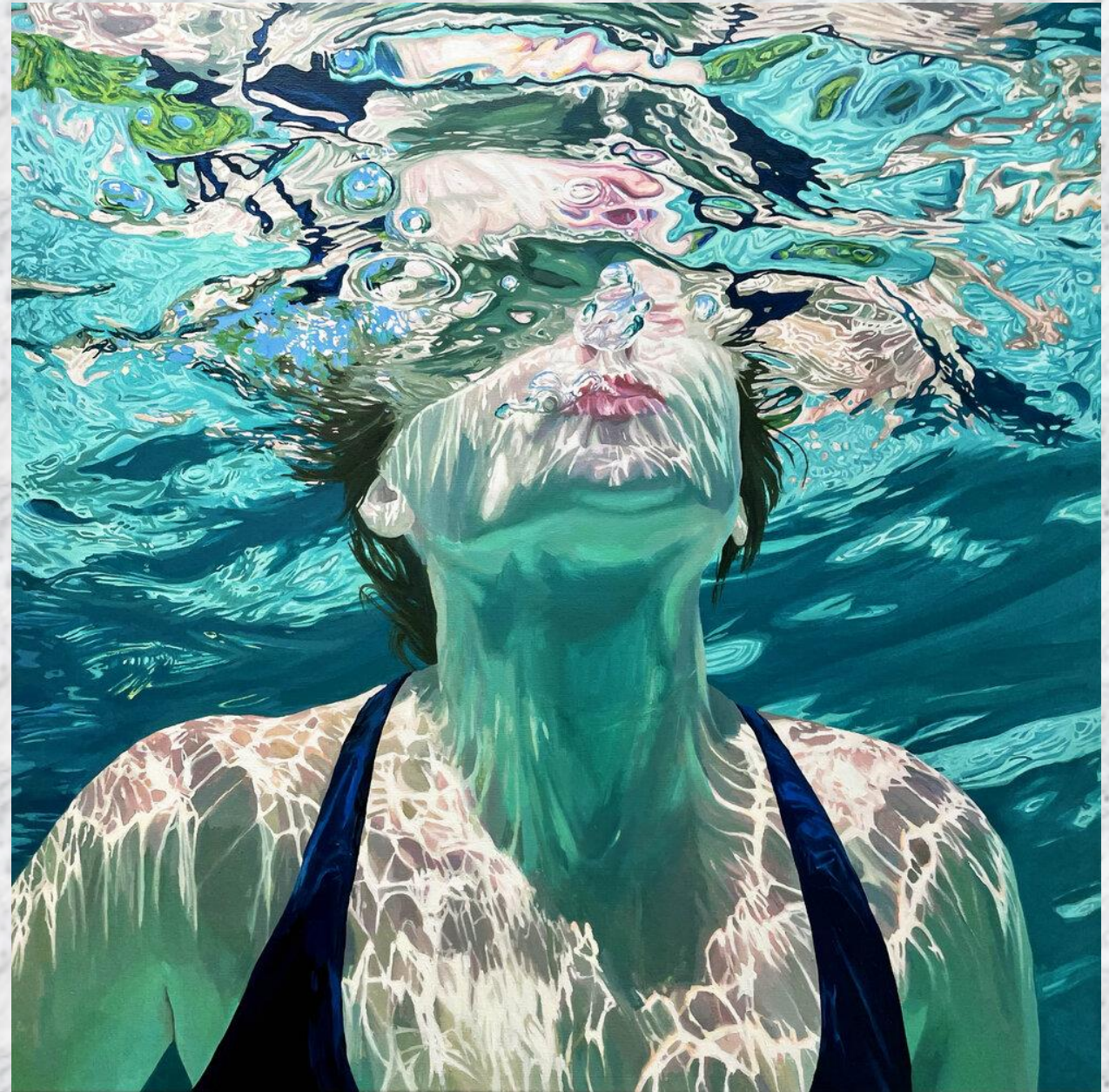
Jeptha Homer Wade, *Nathaniel Olds*, 1837. Oil on canvas.

How we can  
responsibly address  
clients' needs in the  
Digital Age



# Two types of emotional labor

- Surface acting
- Deep acting



Samantha French, *Through the waterline*, 2021. Oil on canvas.

# Surface Acting

- **Surface acting involves “faking” the appropriate emotions for the situation**
  - **When people engage in surface acting, they do not actually try to feel the emotions they wish to portray**
  - **They may put on “fake smiles” or other required emotional displays that do not reflect their true feelings**

*See Arlie Russell Hochschild, [The Managed Heart: Commercialization of Human Feeling](#), 1985.*



*David Habben, [Artwork for Children's Production of Hamlet](#), 2015.*



René Magritte, *The amants*, 1928.

# Deep Acting

- Deep acting involves putting effort into actually feeling and expressing the appropriate emotions
  - Individuals will attempt to modify feelings to match the required display rules
  - Requires more attention
  - Leads to a stronger physiological response, e.g., rise in heart rate, “butterflies” in stomach

See Arlie Russell Hochschild, *The Managed Heart: Commercialization of Human Feeling*, 1985.

# Emotion as a Commodity

- Surface and deep acting in a commercial setting have the potential to make our faces and feelings take on the properties of a resource – one used to make money
  - This is not to say that the act cannot be subjectively satisfying and part of our work! But for some, it can be distressing
  - This, in turn, can estrange us from our emotional products and production. Remember the laborer using his arm to operate a machine?
    - We know that resources are limited in nature – there is never an unending supply of post-it notes, paper, money, or time
    - As such, the resources that we must tap into when performing emotional labor are limited as well

.....So what happens when we run out?

# BURNOUT

- A disease of disengagement... a chronic process of unplugging and disconnecting from work, friends, family, and health
- Burnout arises slowly, like a frog in a slowly boiling pot who does not realize he is getting cooked
- Generally, comes as a result of the mismatch between demands and resources
  - Develops when someone is dealing with a high level of stress but doesn't have access to adequate resources, such as social support, helpful advice, feedback from friends or colleagues, or control over how they spend their time.

“Symptoms” include...

- Fatigue, no matter how much someone rests or sleeps. An exhaustion that runs deeper than sleep deprivation
- Cynicism about life, or a feeling that nothing a person does really matters
- A sense of inefficacy. We exert significant effort, but do not make progress or gain recognition
- Inability to control attention
- Drop in productivity
- Increased desire to be alone

See [lawyerist.com/blog/recognize-prevent-lawyer-burnout](http://lawyerist.com/blog/recognize-prevent-lawyer-burnout)



## ...Now what?

- First option: nothing!

or....

- Remind ourselves of why we chose our job
- Explore “want to” versus “have to” mentalities
- Do job crafting
- Let go of perfection (you can pry it out of my cold, dead hands)
- Build awareness of our stress, our feelings, and our triggers
- Manage our energy
- Meet with colleagues and staff on a regular basis to discuss the demands of the workplace, and how, as attorneys and employers, we can reduce the amount of emotional labor, or, the stress that it may cause



Henri Matisse, *Icarus*, 1946.

**THANK YOU.**