

## Stress related manifestations regarding magistrates

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**MONICA SILVIA CIOCOIU<sup>1</sup>, MIRELA COJOCARU<sup>2</sup>, S. V. CIOCOIU<sup>3</sup>**

<sup>1</sup> PhD student at UMF „Gr. T. Popa” Iași, Romania

<sup>2</sup> University „Ovidius” Constanța, Faculty of medicine, Anatomy department

<sup>3</sup> Public prosecutor's office annexed to the Court of Appeal Constanța, Romania

Monica Ciocoiu, consultant General Medicine, Occupational health specialty

S.C. Oil Terminal S.A, Occupational health department,

Strada Caraiman nr.2, Constanța, Romania

Tel+40729155891, E-mail: ciocoiu\_monica@yahoo.com

### Abstract

*A survey has been performed focusing on stress related manifestations regarding magistrates for the purpose of knowing the reactions and their consequences over the state of health. In the survey a sample of 176 magistrates has been taken, representative for Constanța County, out of whom 92 judges and 84 prosecutors, 70 men and 106 women, with ages ranging between 20-60 years and a length of service in magistracy between 1-25 years. As a supplement to a previous survey by which stress factors regarding magistrates have been evaluated, a questionnaire validated by a pre-test has been used, comprising 126 manifestations that may be related to stress, classified into 6 categories regarding: personality, conduct, cognitive area, physiological and physio-pathological reactions, the state of health and work capacity. The most frequent have proven to be the manifestations in the field of personality, conduct and state of health. The categories, types o manifestations and their relation to various factors, useful for the orientation of occupational health actions and of labor medicine services have been analyzed.*

**Keywords:** magistrates, stress related manifestations.

### Introduction

Based on specialty observations and surveys, psychologists and doctors have provided proofs that magistrates belong to a professional category out of the most exposed and vulnerable regarding occupational stress, with manifestations on multiple plans, including in what regards health and labor capacity. In some countries with a high life standard, the attention granted to occupational stress of the magistrates has known a continuous increase in the past 30 years. Apart from specialty studies, training projects and programs for magistrates and for the management of this phenomenon have been elaborated. But against the phenomenon, surveys and researches regarding the causes, mechanisms, manifestations, effects and management of stress have still remained few. Here are a few examples for approaching some subjects and issues of general and specific occupational stress regarding magistrates: the competition between professional satisfactions and stress regarding magistrates (CALNAN M. & al. [1], KIRBY M. [2], MACK K. & al.[3], ROACH ANLEU S. & al.[4], ROACH ANLEU S. & al.[5]); the stress of women judges (MACK K. & al.[6]); the relation between stress and exhaustion syndrome (SITE[7]); the relation between occupational stress and mental state of health (DEREVENCO P. & al.[8], EATON W.W. & al.[9], SHIGEMI J. & al.[10]); management issues in the stress of magistrates (MACK K. & al. [11]); the extension of the labor medicine area in the field of occupational stress (GUSHUE J. & al.[12], SILION I. [13]. Even though still timid, the real application of some programs for preventing and combating the distress of magistrates is at present limited to some socially and economically developed countries such as Australia, Canada, USA, England etc. In Romania,

the preoccupations for the survey and management of the stress of magistrates are nearly entirely neglected, which made us conduct a survey regarding the manifestations and the consequences of occupational stress for this occupational category, which was preceded by *another* survey regarding stress factors

## Materials and methods

There was considered for study a sample of 176 magistrates, representative for Constanta County, including 92 judges and 84 prosecutors, 70 men and 106 women aged 20-60 years and seniority in magistracy between 1-25 years, from 3 sections of activity, court, tribunal and court of appeal. In Tables I and II it is outlined the sample structure by gender, age groups and seniority in the magistracy and the current position.

### I. Study sample. Magistrate's distribution on gender and age groups

Years	Total		Men		Women	
	Number	%	Number	%	Number	%
21-30	30	17	10	33	20	67
31-40	82	47	34	41	48	59
41-50	26	15	11	42	15	58
51-60	38	22	15	39	23	61
Total	176	100	70	40	106	60

### II. Study sample. Magistrate's distribution on groups of seniority in magistracy

Seniority(years)	Total length of service		Magistracy		Current position	
	Number	%	Number	%	Number	%
Total	176	100	176	100	176	100
<5	26	15	48	28	69	39
6-10	39	22	46	26	45	25
11-15	43	24	40	23	31	18
16-20	19	11	22	12	19	11
>20	49	28	20	11	12	7

Have been visited their workplaces, directly observing the work and conditions under which it takes place, have been held discussions with the people involved in magistracy activities.

A questionnaire has been administered, elaborated and validated by a pre-test, comprising 126 reactions, manifestations and consequences of stress over magistrates, classified into 6 categories: A-manifestations in the personality area; B-manifestations in the conduct area; C-manifestations in the cognitive area; D-physiological and physio-pathological reactions; E-manifestations regarding the state of health; F-manifestations regarding labor capacity.

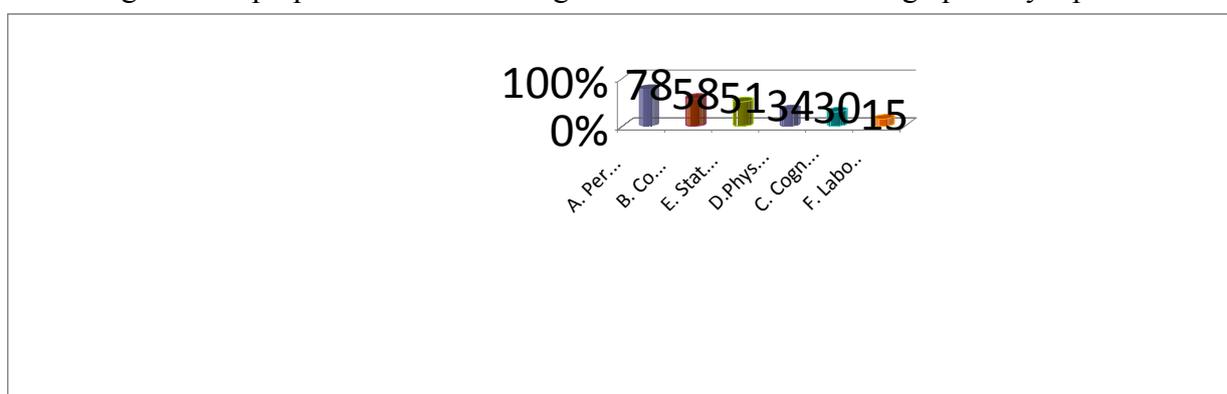
For the statistical processing of the data Microsoft Office PowerPoint and Microsoft Office Excel software have been used. The statistical significations of the differences have been appreciated by the chi-square test. The term of stress risk global scoring has been adopted for various groups of magistrates, by the adding of the percentages that exceed the levels of percentages on the sample of the types of stressors.

## Results and discussions

Following the survey regarding stress factors at the magistrates from the circumscription of Constanta Court of Appeal, it has been derived that there are many stress factors with negative effects over labor capacity and state of health.

Among the professional stress factors the most encountered in the activity of prosecutors and judges are the insufficient lighting from the offices of prosecutors and judges and from the court rooms, the increasing number of files to settle under the conditions in which the number of prosecutors and judges has remained constant or has decreased following the retirements or the departures from the system. Furthermore, other professional stress factors are increasing complexity of the cases had for settlement by prosecutors and judges under the framework of improving the methods and means used by the persons in dispute with the law; the performance of some activities in an extended schedule and/or outside the normal working hours (criminal investigations performed by prosecutors at various events specific to the activity and trial sessions performed way after the working hours or outside the working hours, sometimes even during night hours); the permanent contact with paper from the files for settlement, files, stored most of the times due to lack of space in insalubrious warehouses, etc.

In figure 1 the proportions of the 6 categories of manifestations are graphically represented.

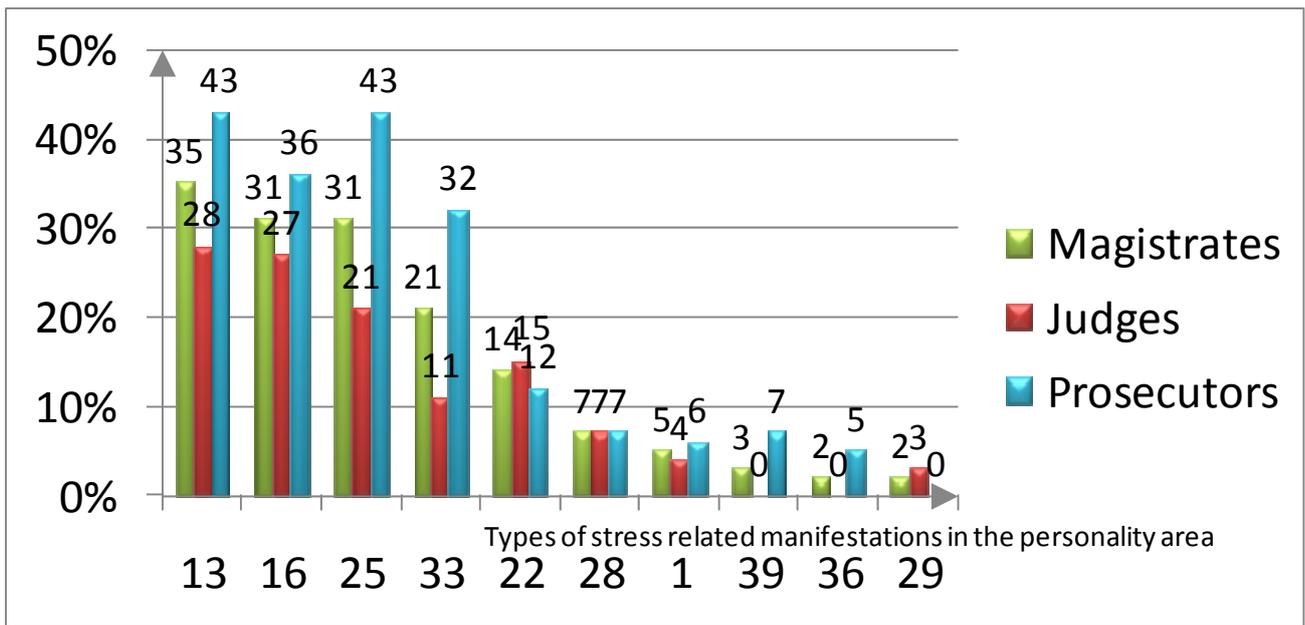


**Figure 1.** Stress related manifestations and their proportions per categories regarding magistrates

The maximum proportion of manifestations belongs to the personality area (A)-78%, followed by manifestations in the conduct area (B)-58%, manifestations regarding the state of health (E)-51%, physiological and physio-pathological reactions (D)-34%, manifestations in the cognitive area ©-30%, and manifestations regarding labor capacity (F)-15%. The differences between the proportions of manifestations from different categories are mainly statistically speaking significant between A-B, A-E, A-D, A-C and A-F; B-D, B-C and B-F; E-C and E-F; D-F. The number of manifestations/person is variable, being correlated with proportions per categories, their maximum number being 8 in category A, 7 in each of the categories B and E, 6 in category D, and 4 in each of the categories C and F.

54 types of stress related manifestations regarding prosecutors and 42 regarding judges, totalizing 58 types at all magistrates, 8 types at prosecutors and 3 at judges being present at over 25% of the persons. Out of these, 6 types have been found at all magistrates in the following proportions: **emotional status 36%**, **tiredness 35%**, **disillusions 31%**, **psychical tension 31%**, **vulnerability to ambiance 26%** and **back pains 25%**. The proportions of manifestations are higher at **prosecutors** than at judges with the following percentages: **back pains-27** ( $p=0,041$ ); **psychical tension-22** ( $p=0,078$ ); **nervozitatea-21** ( $p=0,065$ ); **emotional status-20** ( $p=0,096$ ); **headaches-19** ( $p=0,077$ ); **thoracic aches-16** ( $p=0,073$ ); **tiredness-15**; **desillusions-9**; **vulnerability to ambiance-3**.

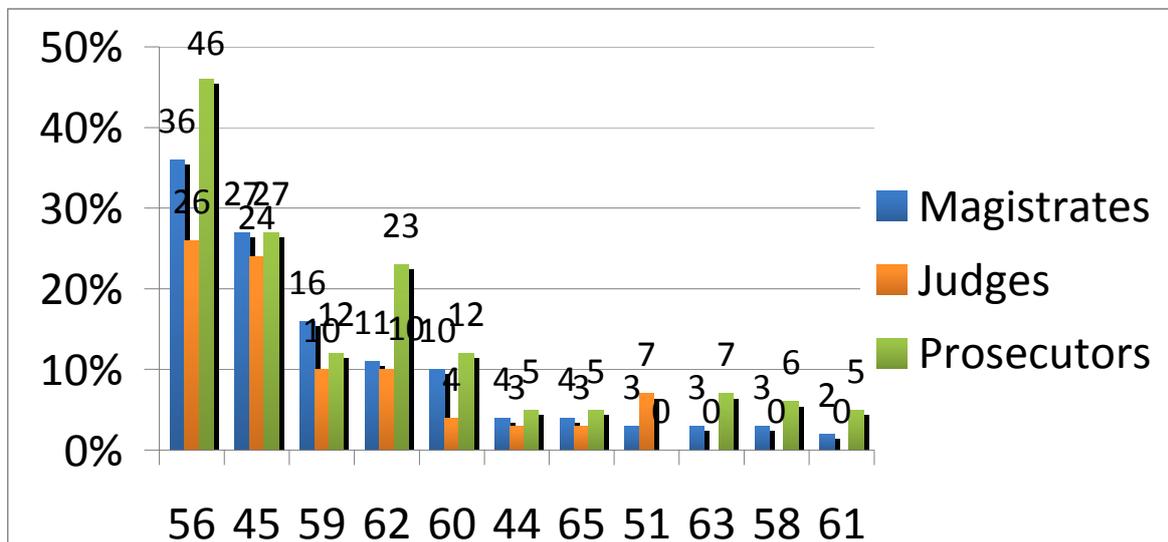
In figure 2 the proportions of the 10 types of manifestations in the personality area for the categories total magistrates, judges and prosecutors are graphically presented. Figure 2: Types of stress related manifestations and their proportions in the personality area regarding magistrates, judges and prosecutors



**Figure 2.** Types of stress related manifestations and their proportions in the personality area regarding magistrates, judges and prosecutors

Out of the 10 types of manifestations in the **personality area**, 3 are present at over 25% of the **magistrates** with the following percentages: **tiredness -35**, **disillusions 31** and **psychical tension-31**. They are followed by other 2 types, agitation-21 and irritability-14.

In figure 3 the proportions of the 11 types of manifestations from the conduct area for the categories total magistrates, judges and prosecutors are graphically presented.



**Figure 3.** Types of stress related manifestations and their proportions in the area of conduct regarding magistrates, judges and prosecutors

Out of the 11 types of manifestations in the **conduct area**, 2 are present at over 25% of the **magistrates** with the following percentages: **emotional status-36** and **vulnerability to ambiance-27**. They are followed by other 3 types, the lack of appetite-16, excessive consumption of coffee-11 and smoking-10.

In figure 4 the proportions of the 16 types of manifestations regarding the state of health for the categories total magistrates, judges and prosecutors are graphically presented.

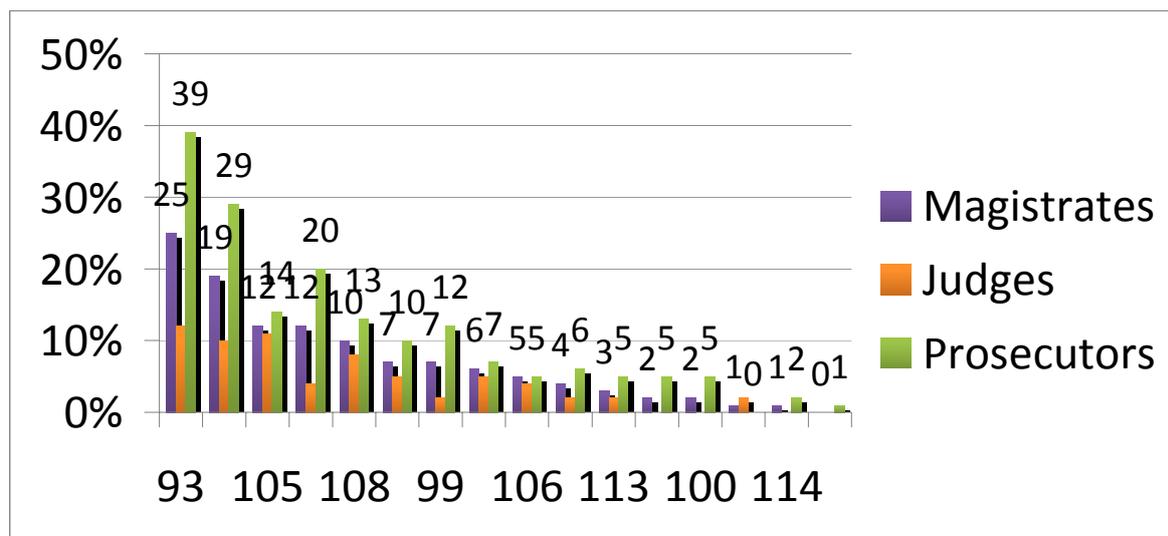


Figure 4. Types of stress related manifestations and their proportions regarding the state of health of magistrates, judges and prosecutors

Out of the 16 types of manifestations related to the **state of health**, **back pains** are present at **25%** of the **magistrates**, followed by headaches-19%, high blood pressure-12%, thoracic pains-12% and digestive ulcer-10%. At **prosecutors back pains** have a proportion of **39%** and **headaches** of **29%**. At 15 types frequencies are higher for **prosecutors** than for judges with the following percentages: **back pains-27 (p=0,041)**; **headaches-19**; **thoracic pains-16**; **migraines-10**; **digestive ulcer-5**; **dizziness ertijele-5**; **frequent urinations -5**; **insomnia-5**; **sugar diabetes-4**; **high blood pressure-3**; **arthritis-3**; **allergies-2**; **psycho dermatitis -2**; **neuroses-1**.

In figure 5 the proportions of the 11 types if manifestations regarding physiological and physio-pathological reactions for the categories total magistrates, judges and prosecutors are graphically presented.

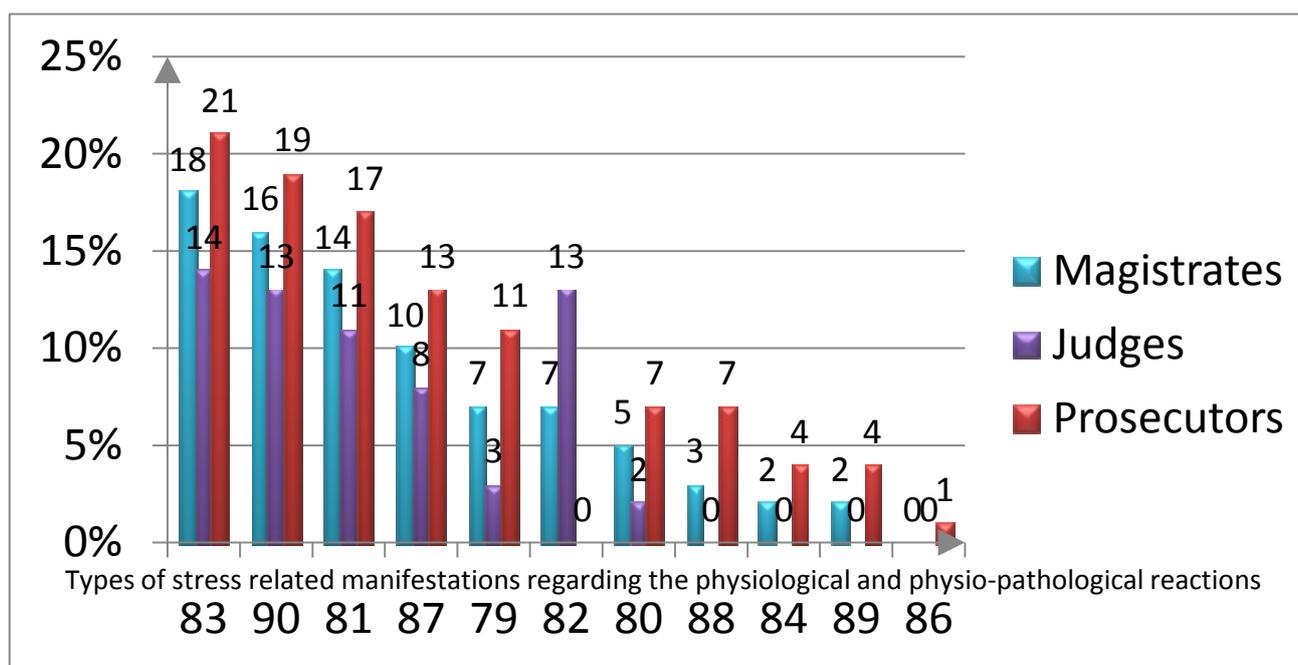
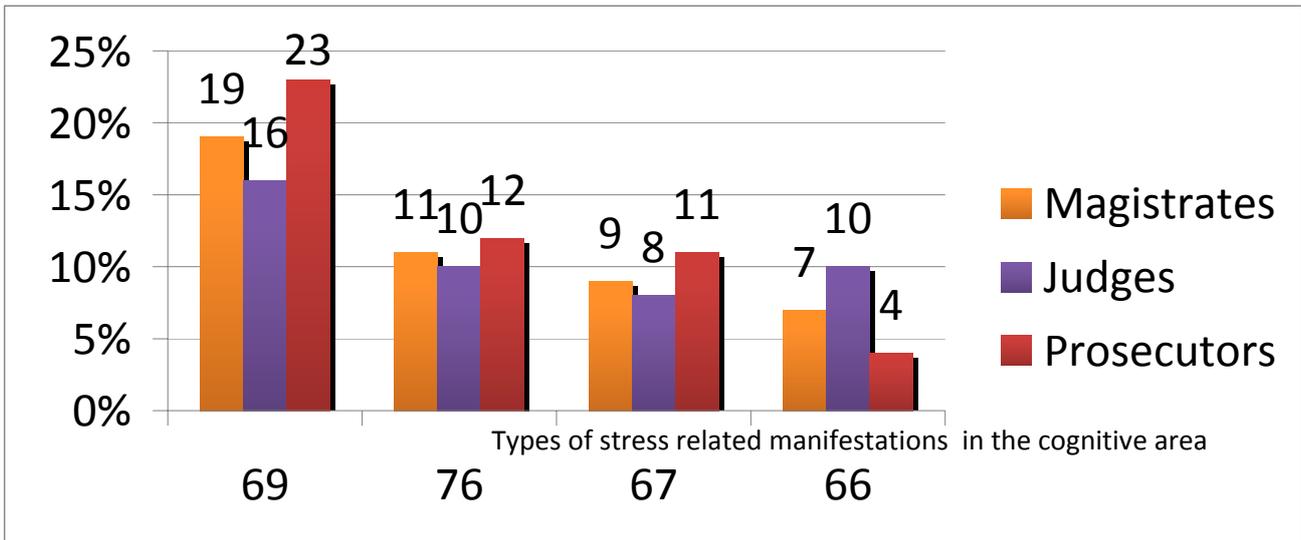


Figure 5. Types of stress related manifestations and their proportions regarding the physiological and physio-pathological reactions regarding magistrates, judges and prosecutors

All the 11 types of manifestations regarding **physiological and physio-pathological reactions** are present at under 25% of the **magistrates**, out of which 4 present frequencies between 25-10%: dryness of mucous-18; pins and needles in the hands or feet-16; palpitations-14; suffocation sensation-10. Periodic increases in blood pressure are the most frequent for **judges** than for prosecutors by 13 percentages.

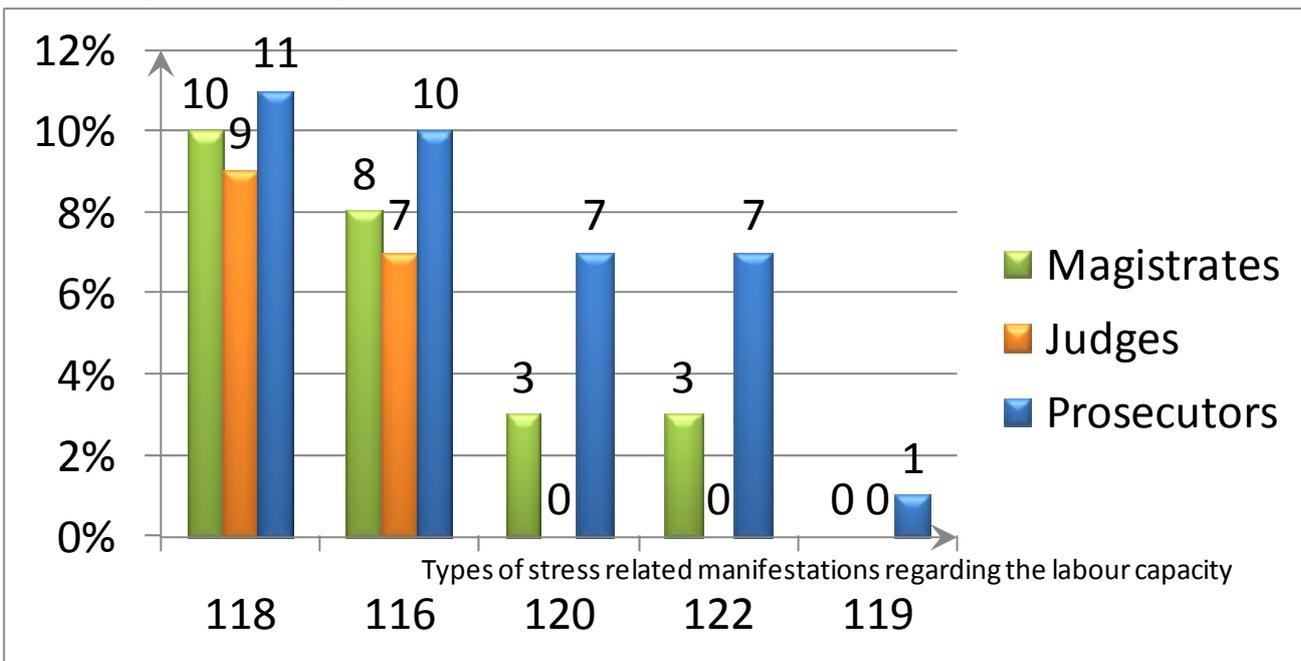
In figure 6 the proportions of the 4 types of manifestations in cognitive area for the categories total magistrates, judges and prosecutors are graphically presented.



**Figure 6.** Types of stress related manifestations and their proportions in the cognitive area regarding magistrates, judges and prosecutors

All the 4 types of manifestations in the cognitive area are present in under 25% of the **magistrates**, with the following percentages: hypersensitivity to critique-19; low capacity of creativity-11; low capacity of concentration-9; difficulties in making decisions-7.

In figure 7 the proportions of the 5 types of manifestations regarding labor capacity for the categories total magistrates, judges and prosecutors are graphically presented.



**Figure 7.** Types of stress related manifestations and their proportions regarding the labor capacity of magistrates, judges and prosecutors

All the 5 types of manifestations regarding **labor capacity** are present in under 25% of the **magistrates** having the following percentages: low efficiency in labour-10; lack of concentration-8; insatisfactions-3; fluctuations of labor capacity-3; high risk of accidents-0,6.

## Conclusions

The survey highlights the existence of a greater variability of the frequency and of the types of reactions, manifestations and effects related to the stress of judges and prosecutors from the city court, county court and the court of appeal, influenced by factors that are related to the specificity of the actual labor, section, position and length of service in magistracy, but also to sex and age. Many of the manifestations found by our survey are also mentioned in other specialty papers from the countries with preoccupations in the field (KIRBY M. [2], DEREVENCO P. & al.[8]). At over 25% of the magistrates the following have been signaled, in descending order of frequency, emotional status, tiredness, psychical tension, disillusion, vulnerability to ambiance and back pains, to which is added agitation and headaches at prosecutors. There is at magistrates a confrontation between professional satisfaction, stress and tiredness (MACK K. & al.[3], ROACH ANLEU S. & al.[5]).

The fact that manifestations from the personality area are more frequent than the others represents an extra argument for the rightfulness of the conduct of psychologists that focus on personality tests in order to discover the persons showing an increased vulnerability to stress and their surveillance during professional life (MACK K. & al. [11]). This draws the attention of the labor medicine doctors over the need of collaboration with psychologists for the medical registration and monitoring of the persons showing an increased vulnerability to stress (GUSHUE J. & al.[12]). Besides the manifestations in the personality area, the conduct ones are also frequent and important, and together they are at the basis of the adoption of an appropriate medical and psychological conduct regarding the education and management of stress. At some magistrates particular attitudes and conducts are signaled against the regular ones of the common people with a tendency of social isolation (ROACH ANLEU S. & al.[4]). Manifestations related to the state of health, by their frequency and diversity, must occupy a priority place regarding the occupational health care. Many of them express more advanced phases of the effects of stress than other manifestations from the personality and conducts areas, being symptoms and signs of some psychical affections and with psychosomatic response. This is why, hypothetically, they should be in general less frequent than other manifestations of purely psychical nature. Against expectations, the presence of manifestations related to the state of health found by us at over 50% of the magistrates represents a higher proportion. At over 25% of the magistrates I have found back pains, accentuated by stress, whose frequency is increasing once with the ageing, at prosecutors headaches, sometimes even thoracic pains being added. Even though with a lower frequency, under 25%, other manifestations have been also found, such as high blood pressure, digestive ulcer, dizziness, allergies, ischemic cardiopathy, sugar diabetes, arthritis, frequent urinations, insomnia, diarrhea episodes, psycho dermatitis, neurosis. Many of these manifestations are to be found in the table of symptoms and signs of stress signaled in the specialty literature (SHIGEMI J. & al.[10], SILION I. [13]). Until now, official statistics have signaled no excess of axial psychiatric pathology regarding magistrates against general population (EATON W.W. & al.[9]). One signals the abandon by some people of magistracy, also invoking among others health reasons. Physiological and physio-pathological reactions, even though in more reduced proportions in our phase, are important by the possibility of their evolution towards various forms of real disease, this is why they must closely observed by the labor medicine doctor.

Manifestations in the cognitive area and those regarding the affection of labor capacity have been found in proportions of under 25%, reticence in acknowledging them as being

related to the activities in magistracy being possible. In fact, taking into consideration the specificity of activity, some psychologists assert that the stress of magistrates might be of cognitive nature (KIRBY M. [2]). The emotional side of stress is the dominant part in our survey, especially for ages ranging between 21-40 years.

It has been found that psychical tension and emotional status are more frequent with women and tiredness is more frequent with men, which is very strange, given the known and so called double solicitation related to the specific role of woman in the family, which amplifies tiredness (MACK K. & al.[11]). There are also opinions according to which woman is more resistant to tiredness than men. It is very important to act in order to prevent tiredness from becoming chronic and to prevent the occurrence of exhaustion syndrome (*burnout*). Our survey mentions the relation between the leadership positions and the types of manifestations, not being conclusive in what regards the sections where activities are performed. The increase in the length of service and experience in magistracy have proven to be factors that decrease the frequency and intensity of emotional states, but the ageing intervenes and this is not a positive thing for the state of health. We think that the evaluation of the various stress related manifestations per degrees of intensity and duration is useful for the individual and collective medical care. An interesting fact over which our survey draws attention to is the greater frequency and variability of manifestations at prosecutors than at judges, being correlated to the stress factors evaluated in a previous survey.

We think it is important that that magistrates, psychologists and doctors should know the experience of our country and of other countries in the field of stress of magistrates and the manner in which it is managed. It is required to amplify and advance the medical researches and surveys regarding stress under its different aspects, complementary to those that regard the psychological side and the extension of the area of preoccupations of the practice of labour medicine in this particularly important field of general and occupational health, including for those regarding magistrates (GUSHUE J. & al.[12]).

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