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Procrastination in Legal Practice: A Cognitive and Organisational Risk, Not a Personal Failing

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Procrastination is often discussed in legal circles as a matter of poor discipline or ineffective time management. In practice, however, procrastination in legal work is **neither rare nor random**. It is a well-documented behavioural response to cognitive load, perfectionism, and the structural realities of modern legal practice.

For individual legal professionals, procrastination contributes to stress, last-minute work, and declining confidence. For law firms and corporate legal teams, it represents a hidden productivity and risk issue. This affects profitability, decision quality, and long-term sustainability.

Procrastination is Common in Legal Work

Although profession-specific research on procrastination has historically been limited, recent studies and analyses confirm that procrastination is widespread in the legal profession. A 2025 study by the [National Association for Law Placement \(NALP\)](#) identified perfectionism as a dominant cultural trait in law and found a **strong association between high perfectionism and procrastination**, difficulty delegating, and poor workload management.

Importantly, procrastination in this context was not linked to lack of ability or motivation. Instead, it was associated with fear of error, reputational risk, and excessively high internal standards, particularly among early-career lawyers and women. These findings are consistent with broader psychological research showing that high-performing professionals are often more vulnerable to procrastination when tasks carry identity or reputational stakes.

A Neuroscience Perspective: Why Lawyers Delay Action

From a neuroscience perspective, procrastination is best understood as an emotional regulation strategy rather than a time management failure. Legal work consistently activates the brain's threat-detection and error-monitoring systems. Complex drafting, adversarial pressure, high client expectations, and ethical responsibility all increase cognitive and emotional load.

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When a task is perceived as high risk, ambiguous, or perfection-dependent, the brain seeks short-term relief from discomfort. Procrastination provides that relief by delaying engagement, even though it increases long-term pressure.

In legal practice, this often manifests as excessive preparation without progression, repeated review instead of drafting, prioritising administrative tasks over substantive decisions, or constant responsiveness at the expense of focused work. These behaviours appear productive, but they function as avoidance mechanisms that temporarily reduce anxiety.

Perfectionism and Legal Culture

Legal culture often treats perfectionism as a professional virtue. Precision, caution, and attention to detail are essential to competent legal work. However, when perfectionism becomes a default operating mode rather than a context-specific tool, it increases hesitation and delay.

The NALP study confirms that many lawyers experience perfectionism as both expected and rewarded, yet this same trait contributes to procrastination, overwork, and burnout. At organisational level, this results in senior lawyers becoming decision bottlenecks, unnecessary duplication of work, and escalating supervision demands.

In this way, procrastination does not remain an individual issue. It scales into a systemic inefficiency.

Not All Delay Is Procrastination

It is important to distinguish genuine procrastination from structural delay. A [2024 empirical study](#) examining work patterns of patent examiners at the [United States Patent and Trademark Office](#) found that effort was distributed evenly across production periods rather than clustered at deadlines. This challenged earlier assumptions that apparent delays necessarily reflect avoidance.

For law firms, this distinction matters. Without accurate workflow visibility and clearly defined decision authority, firms may misinterpret system constraints, approval delays, or unclear ownership as individual procrastination. This leads to misplaced performance interventions rather than structural improvements.

Mental Health, Attrition, and Professional Risk

Procrastination is closely linked to mental health outcomes in the legal profession. The widely cited "[Stress, Drink, Leave](#)" study, based on surveys of practising attorneys, identified high levels of

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depression, anxiety, and stress, particularly among women. Subsequent analyses have linked procrastination to overcommitment, role overload, and work-family conflict.

Chronic procrastination contributes to disengagement and increases the likelihood of lawyers leaving the profession. From a firm perspective, this represents a retention risk rather than a personal coping issue.

There is also a professional risk dimension. Publications from 2024 and 2025 have highlighted the link between procrastination, rushed work, missed deadlines, and malpractice claims. While occasional delay may be benign, chronic procrastination undermines diligence obligations and increases exposure to error.

Why Individual Solutions Are Not Enough

Individual strategies such as intermediate deadlines, monotasking techniques, and self-forgiveness practices can be helpful. However, their effectiveness is limited when lawyers operate within systems that overload decision-makers, blur accountability, and reward constant responsiveness.

When cognitive load remains high and decision authority unclear, personal discipline cannot compensate. Procrastination persists because the underlying conditions remain unchanged.

Implications for Law Firms and Corporate Legal Teams

At organisational level, procrastination should be recognised as a signal of design failure rather than poor work ethic. High-performance environments protect cognitive bandwidth by clearly defining roles, decision thresholds, and ownership of outcomes.

In many law firms, highly trained professionals spend significant time on work below their level of capability, make routine decisions that could be delegated, or wait for approvals that are poorly defined. These conditions increase hesitation and delay, unintentionally encouraging procrastination as a coping mechanism.

Addressing procrastination therefore requires systemic intervention. This includes clearer delegation frameworks, capability-aligned work allocation, defined completion standards, and workflows that reduce unnecessary cognitive friction.

Conclusion

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Procrastination in legal practice is not a personal weakness. It is a predictable response to cognitive load, perfectionism, and poorly designed systems. Left unaddressed, it undermines performance, increases risk, and contributes to burnout and attrition.

For individual lawyers, recognising procrastination as a cognitive signal rather than a moral failing is the first step. For law firms and corporate legal teams, treating procrastination as a productivity and governance issue, not merely a behavioural one, is essential to building sustainable, high-performance legal practices.

For more insights or to explore resilience strategies for legal professionals, visit www.pmri.co.za.

About the Authors:

Sonja Cilliers is an advocate of the High Court of South Africa. She was admitted as an attorney of the High Court in 2001 and, after practicing as an attorney for several years, did pupillage and became a member of the Pretoria Society of Advocates in 2005. Sonja has been in practice, as attorney and advocate for an aggregate of 24 years, and obtained extensive experience in litigation in various fields of the law; including contractual law, banking law and litigation, corporate law, family law, insurance law and personal injury law. Sonja completed her B(Proc) (1998), LLB (1999) and LLM (contractual law) (2003) degrees at the University of Pretoria. She is qualified as an AFSA trained Arbitrator and Mediator and obtained the one-year diploma from AFSA in Arbitration and Mediation in 2003.

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