



Law, Legislation, and Jurisprudence

A snapshot of emotional harms caused by the litigation process – Qualitative data from Ghana



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ABSTRACT

Background: Very few studies have investigated the effect of the process of litigation on the mental health of litigants. In Ghana, not much is known about the stress that litigants encounter and how they cope during the process of litigation.

Methods: This study used a mixed-method sequential explanatory design to explore the stressors people litigating as individuals encounter in Ghana and how they cope in the process of litigation. As the second phase following the quantitative stage, interviews were conducted with seventeen (male = 13, female = 4) litigants (defendants = 4, plaintiffs = 13) who were selected (using criterion sampling) from the Law Court Complex in Accra, Ghana. Their average age and the average duration of the case was 50.13 (SD = 12.55), and 26.7 months respectively.

Results and discussion: To explain the results found in the quantitative phase, three themes with subthemes were extracted from the data set: *challenges in the court process*, *emotional consequences of the litigation process*, and *coping mechanisms*. The frequent adjournments of cases, delays on court days, deliberate dragging of cases, financial strain, and opportunity cost, were the challenges encountered by litigants in the court process. These led to emotional outcomes such as stress, overstraining, sleepless nights, numbness, and the acceptance of court proceedings as part of life. To help them cope with these emotional outcomes, litigants looked for a light at the end of the tunnel and reliance on their faith. The stressful nature of the court process and how litigants cope with the process of litigation is discussed. Consequently, we recommend that people be educated about Bar etiquette and court procedures. Additionally, we suggest that lawyers should provide some form of scientifically-derived estimation of how long a case might last. It is also recommended that law firms consider providing counselling sessions for their clients.

1. Introduction

1.1. The stressful nature of the process of litigation

People engage in legal tussles which may become psychologically injurious (Cohen & Vesper, 2001; Jaray, 2012; Ryll, 2015). Two main legal systems exist worldwide: inquisitorial and adversarial systems, of which the latter has been found to be more stressful (Shin, 1998).¹ Gutheil et al. (2000) noted that the harms caused to either plaintiffs or defendants could include emotional harms (see also Cohen & Vesper,

2001). This type of harm has received less attention in the literature. Gutheil et al. (2000) used the term ‘critogenesis’ to denote intrinsic and sometimes inescapable harms resulting from the process of litigation itself, even when the process is operating as it should (Gutheil et al., 2000). Gutheil et al. (2000) proposed that there are critogenic benefits where one could accrue some gains from litigation. These benefits might not necessarily be winning a suit, but emotional benefits that result from bringing the case to court. These may include a sense of being heard, making an individual aware of having injured or wronged you, calling attention to a civil or social problem requiring remedy, and being pleased

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¹ Ghana operates an adversarial system of criminal justice.

with overcoming another person's denial.

There is an inherent irony in the judicial system in that people who bring suits also endure injury from the process through which they hope to obtain redress (Gutheil et al., 2000). This notion was further asserted by Picou et al. (2004), who showed that being a litigant was significantly associated with work disruption during the process of litigation.

Delay and prolongation are two of the specific critogenic harms one could suffer in the process of litigation (Gutheil et al., 2000). These delays might be occasioned by the different schedules of attorneys and judges, crowded courts, and unexpected postponements and interruptions. Added to that, the length of time it takes for the final ruling to be given in lawsuits under the adversarial system becomes a stressor (Marshall et al., 2004). Marshall et al. (2004) pointed out that the manner in which cases between organisations and individuals may drag on becomes financially exacting and consequently a stressor for individuals. Moreover, the adjournment of cases may compound the financial challenges of litigants, thereby becoming a stressor (Crook, 2004; Lees-Haley, 1988).

The disappointment at the outcome of the case could also be a let-down for the litigants. A case in point is the 2008 US Supreme Court decision to reduce punitive damages awards to \$ 507 million in the *Exxon Valdez disaster* (Gill et al., 2016). This decision elicited feelings of shock, betrayal, anger, resignation, depression, sadness, defeat, hurt, and injustice. It was stated that the litigants "lost faith in the justice system and felt helpless, invisible, and insignificant compared to corporate citizens" (Gill, 2008, p. 5). Gill (2008) further showed that some litigants believed that organisations with financial muscle and political power could influence rulings.

Pyo et al. (2019) showed that in litigating against an organisation, a litigant suffered psychological distress in the legal process. Also, the experiences clustered around frustration and anger toward medical accidents, and distrust of the medicolegal profession dealing with medical litigation (Pyo et al., 2019). Moreover, Lawson and Fitzgerald (2016) examined the relationship between psychological harm and sexual harassment litigation among litigant and non-litigant women who report sexual harassment. They observed a moderate relationship between posttraumatic stress disorder (PTSD) symptoms (as well as other types of psychological distress) and sexual harassment (Lawson & Fitzgerald, 2016). Also, Lawson and Fitzgerald (2016) found that PTSD symptoms in both litigants and non-litigants diminished in intensity in the litigation process. It was suggested that PTSD symptomology was probably not caused by the litigation. Further, psychological distress was seen to diminish over time among litigants and non-litigants. In spite of the plausible explanations given for their findings, Lawson and Fitzgerald (2016) concluded that the litigation process was stressful. Matsuzawa and Dijkers (2015) found that litigants experience problems with emotional regulation with the consequence of reduced accuracy in information processing, as well as confusion.

Among litigants in Spain, it has been found that both plaintiffs and defendants suffer mental health problems in the process of litigation (Clemente & Padilla-Racero, 2020). These researchers found that the more the trials are prolonged, the more probable it is that litigants' mental health would deteriorate (Clemente & Padilla-Racero, 2020). In Ghana, Parimah et al. (2020) have shown that individuals litigating in courts encounter more stressors compared with those litigating on behalf of companies. Although the length of time spent in the process of litigation was linked to a deterioration in mental health both in plaintiffs and defendants (Clemente & Padilla-Racero, 2020), other specific precursors to these psychological outcomes were not investigated. Likewise, Parimah et al. (2020) could not account for the specific stressors of people litigating as individuals in the process of litigation.

Bearing this context in mind, one of the research questions posed in this current study is: what are the stressors people litigating as individuals in Ghana encounter?

1.2. Coping among litigants

In a bid to overcome stress, a person may use different ways to manage them in either adaptive or non-adaptive ways (Lazarus, 1993). Five coping styles have been identified in some studies: problem-focused coping style, emotion-focused coping style, seeking-understanding coping style, seeking help, and avoiding the problem (e.g., Clarke, 2006; Folkman & Moskowitz, 2005; Skinner et al., 2003). Whereas an emotion-focused coping style entails the expression of one's feelings or engaging in activities such as meditation, exercise and other emotion releasing activities, a seeking-understanding coping style is aimed at comprehending the problem and finding meaning in the experience. Researchers have suggested that people adopt emotional expression as well as emotional regulation strategies when dealing with stress (i.e., Clarke, 2006; Skinner et al., 2003; Folkman & Moskowitz, 2005). This often manifests itself in letting others know about their feelings, reorganising the way they look at the circumstances, or keeping their emotions under control by performing activities that are appeasing.

There are various aspects of the legal process that require coping. For instance, continuous rescheduling of trial dates generates hopes that are often dashed. Sometimes, the cyclical rise and fall of hope is likely to make plaintiffs and defendants emotionally numb-which in turn is a way of coping with this cycle (Gutheil et al., 2000). In investigating how litigants cope, Matsuzawa and Dijkers (2015) indicated that separating one's self from litigation contributed to diminished stress. In addition, assistance from lawyers through emails and documents that simplified legal matters helped plaintiffs to cope. Similarly, the use of memory notebooks and finding oneself in the company of other litigants possibly helped to reduce emotional reactive behaviours (Matsuzawa & Dijkers, 2015). Additionally, Matsuzawa and Dijkers (2015) observed that although some litigants depended on emotional support from friends, family, professionals (psycho-education), and TBI support groups to enable them cope, others refrained from relying on support from family.

Some litigants depend on their spiritual beliefs to cope with stressors encountered in the process of litigation. Parimah et al. (2020) found that litigants in Ghana rely on religious beliefs to cope with stressors. Parimah et al.'s study (2020) supports the idea that through emotion-focused coping, people engage in activities such as meditation (in this case, prayer), and seeking understanding (through religious/spiritual beliefs) in order to gain a comprehension of stressful life events (i.e. Clarke, 2006; Skinner et al., 2003; Folkman & Moskowitz, 2005). Sundin and Horowitz (2002) suggest that individuals often respond to stressors in one of two ways: avoidance or intrusive stress. Whereas avoidance entails denial of meanings and the results of events, intrusive stress is characterised by unbidden thoughts, images, and troubled dreams (Horowitz et al., 1979). Some litigants have been found to experience sleepless nights, as shown in Parimah et al. (2020).

According to Koenig (2012), religion refers to beliefs, rituals and practices associated with a transcendent being. Whereas spirituality is intimately associated with the mystical or the supernatural (Koenig et al., 2012; Nkomo et al., 2017), *religiosity* refers to spiritual practices. Through spirituality, an individual is likely to believe that a superior being is in control of their circumstances (Kalavina, 2014). Holding religious beliefs has been found to improve mental health by providing hope and optimism (Koenig et al., 2012). It can also offer explanations for seemingly inexplicable circumstances (Asamoah et al., 2014) and can serve as a definition of success in a socially-dependent environment (Osei-Tutu et al., 2018).

Although Parimah et al. (2020) indicated that people litigating as individuals used more coping strategies compared to those litigating on behalf of their companies, and showed an association between religious and spiritual beliefs and coping among litigants, how people litigating as individuals cope in the process of litigation in Ghana is not known.

Therefore, our study also poses the question: how do people litigating as individuals cope in the process of litigation in Ghana?

2. Materials and methods

2.1. Research design

A mixed-method sequential explanatory design was used in the study. According to Creswell et al. (2003), there are two distinct phases of the mixed-method sequential explanatory design: firstly, the quantitative, and thereafter the qualitative. The initial phase of the study entailed the collection and analysis of quantitative data, followed by the qualitative phase as suggested by Ivankova et al. (2006). The quantitative phase was given priority, and as such came first in the data collection process. As part of the quantitative phase, a cross-sectional survey was conducted with 262 litigants who were either litigating as individuals or on behalf of their organisations (Parimah et al., 2020). Ivankova et al. (2006) proposed that the qualitative phase of a mixed-method sequential design should help to elaborate or explain the quantitative results in the first phase. Thus, the qualitative phase builds on the quantitative. Owing to the general understanding that the quantitative phase of the study provided, the qualitative phase sought to explore participants' views in more detail as put forward by Creswell (2003). The aims of the qualitative phase of the study required that we explore the stressors encountered by people litigating as individuals in Ghana and how they cope with these. On this basis, the mixed-method sequential explanatory design was appropriate.

2.2. Study setting

The setting for the study was the High Court complex in Accra. This complex houses about 44 High Courts and other superior courts in Accra. It is the largest aggregation of courts in a single location in Ghana (Judicial Service of Ghana, 2017). It was an appropriate location because of its size and also because it is located in the capital city, Accra, thus affording the researchers an opportunity to access litigants from all walks of life. The various divisions of the High Court situated in this complex include the land, human rights, commercial, financial, and the general jurisdiction (Judicial Service of Ghana, 2017). Although Ghana's court structure allows for both lower courts (comprising of the District and Circuit Courts) and superior courts (comprising of the High Court, Court of Appeal and Supreme Court), the High Court is the only one that can hear all civil and criminal matters and has the same jurisdictional rights in each location (Quansah, 2011).

2.3. Participants and recruitment

When mixed-method studies do not have one specific objective, there are often no clear guidelines with regards to purposeful sampling (Palinkas et al., 2015) for yielding cases that are 'information rich' (Patton, 2002). Purposeful sampling entails the identification and selection of groups or individuals that have knowledge about a phenomenon of interest or possess some experience with the phenomenon in question (Cresswell & Plano Clark, 2011). In criterion sampling, study participants are recruited on the supposition that they hold some knowledge and experience regarding the phenomenon in question (Palinkas et al., 2015). Palinkas et al. (2015) put forth that individuals who meet a specific criteria by virtue of their experience make them information-rich. Apart from knowledge and experience, the availability and willingness of individuals to participate in the study should be considered (Bernard, 2002). In the quantitative phase of the study, we found that those who litigated as individuals reported more stress (intrusion and avoidance) compared with those litigating on behalf of their organisations (Parimah et al., 2020). Moreover, those who were litigating as individuals used more coping strategies compared with those litigating on behalf of their companies. In view of this, we identified participants who were litigating as individuals, and who scored >19 (indicating high symptoms of stress) on the Impact of Event Scale (IES; Horowitz et al., 1979). Among this group, there were those who were involved in immovable property,

breach of contract, labour, and human rights cases. Individuals within these categories who scored high on the IES were contacted for the qualitative phase of the study. Those who were available and willing to participate in the qualitative phase were then included in the sample. In essence, criterion purposive sampling was used to select seventeen (17) participants ($M_{age} = 50.13$; $SD = 12.55$). Most of the participants were involved in cases related to immovable property; nine (9) of the participants were litigating against other individuals, with most of them being plaintiffs in their respective cases. After the 17th participant, the data was not yielding any new information and so data collection was stopped. The information was also complemented by observations of the court process and the interaction of the litigants with the process and the court actors (Table 1; Table 2).

2.4. Ethics and data collection

Ethics approval was obtained from the Institutional Review Board (IRB) (protocol number: ECH 048/17-18) of the University of Ghana. Thereafter, permission was sought from the Judicial Service of Ghana to access litigants who use the court complex. Participants were contacted at the court complex where the objectives of the study were explained to them. Further clarification regarding the study was given to any litigants who required it. This was to obtain their consent and voluntary participation. Written consent was subsequently obtained from the participants. They were also informed about their right to opt out of the study at any time without penalty. Additionally, participants were assured of the confidentiality and anonymity of their responses through the use of pseudonyms. The researchers made provision for psychological support for litigants who required it, although none of the participants used this service. The interviews were conducted at their convenience in English either within or outside the court premises. Four of the interviews were conducted outside the court complex. Interviews that were conducted within the court complex took place in a room provided for litigants. When there were other litigants in this room, the interview was conducted at a distance away from them. The interview also took place very early in the morning immediately after the court complex was opened to ensure that the fewest people possible were around at the time of the interview. For the interviews conducted outside the court premises, only the interviewer and participant to be interviewed were present during the interview. An interview lasted for an average of 22 min. Though not the norm, there have been phenomenological studies that have lasted less than an hour. For example, interviews in a study by Mole et al. (2019) lasted between 20 to 39 min. The interviews were conducted once, and each session was completed on the same day. Two participants dropped out of the study due to inconvenience: these participants could not settle on a time that was convenient for them and the researchers. Field notes were taken to help the researchers reflect on the process. The interviews

Table 1
Demographic characteristics of participants (N = 17).

Variable	Frequency
Sex:	
Male	13
Female	4
Mean age = 50.13 (SD = 12.55)	
Average length of time in months (excluding 3 outliers: 120, 372, 192)	26.7
Case:	
Breach of contract	3
Labour	3
Immovable property	9
Human rights	2
Co-litigants:	
Individual litigating against another individual	9
Individual litigating against an organisation	5
Party:	
Litigation among families	3
Plaintiff	13
Defendant	4

Table 2
Background of cases.

Pseudonym	Case	Length of time (in months)	Co-litigant	Party	Background Notes to the Case
Kojo	Fraud, and immovable property	3 (fraud), and 36 (immovable property)	An individual (friend), and family member (father)	Plaintiff	Supplied electrical materials but was not paid for it. The defendant refused to pick-up his calls and issued fake cheques that bounced. In the other case, his father was ejecting his mother from the house they had built with their joint resources.
Bright	Labour	120	Organisation	Plaintiff	Company wrongly paid claims to the court and plaintiff is now attempting to claim the money from the court.
Alfred Daniel	Labour Immovable property	12 372	Organisation A family	Plaintiff Plaintiff	Unlawful and unfair termination of employment contract. The case involved dispute over a land involving four families. It became complex and had to be conducted sequentially, one family after the other.
Charles	Immovable property	30	Individual	Plaintiff	A squatter refuses to vacate the land and now claims ownership after he was granted permission to live on the land temporarily.
Stanley	Fraud	Not provided	Individual	Plaintiff	A serial litigant who has received power of attorney to litigate on behalf of the brother. Another Ghanaian defrauded the brother in Austria and relocated to Ghana. They are going to the court in Ghana to help them retrieve the money from him
Isaac	Labour	24	Two organisations	Plaintiff	Termination of contract: contract was terminated, and the company failed to give them the money that was due.
Yaw	Human Rights	9	Organisation	Plaintiff	Wrongly accused of involving himself in acts of indiscipline in a hall on a university campus.
Tony	Immovable property	24	Individual	Defendant	Someone encroached on his land and brought him to court.
Sharon	Immovable property	72	Other family members	Defendant	Dispute over family property: family house which should belong to everyone.
Shirley	Immovable property	Not provided	Individuals	Defendant	Previous occupants of shops that they believed were rightfully theirs have brought the case to court.
Baaba	Immovable property	Not provided	Individual	Defendant	Some individual shop owners encroached on their land and have decided to bring her to court though judgment has already been passed in his/family's favour.
Wood	Immovable property	18	Organisation	Plaintiff	His land was taken to construct a highway but he had not been paid the compensation due to him.
Addo	Immovable property	192	Individual	Plaintiff	Someone unlawfully sold his land to an organisation (church).
George	Immovable property	Not provided	Individual	Plaintiff	A customer who was given a piece of land took more than he was given and they are in court to retrieve the land he unlawfully took.
Esther	Human Rights	Not provided	Organisation	Plaintiff	A fumigation exercise by a petroleum company was causing harm to him and he decided to seek justice at the court.
Kwame	Fraud	15	Individuals	Plaintiffs	Visa acquisition: defendants could not fulfil their agreement to send his children to Canada and he wants to retrieve his money.

were audio-taped and transcribed verbatim. Prior to the interviews, there was no established relationship between the interviewers and the participants. However, some form of rapport was built between the interviewers and participants to encourage them to volunteer the needed information. Moreover, participants did not have any knowledge about the researchers, except for the objectives of the study that were previously explained to them. It was made clear to participants that the researchers had no personal gains in the research and it was being conducted to advance knowledge and practice. It took roughly a year to conduct all the interviews due to the difficulties involved in getting litigants to participate in the study. For instance, some of the litigants lived outside Accra, making it challenging to schedule a meeting convenient for them and the researchers. Also, the possible anxiety within the court complex made it difficult for some of the litigants to respond to the invitation to participate in the study.

The first, second, fourth and fifth authors conducted the interviews. These authors have a psychological background and experience in gathering qualitative data. The first author has an MPhil in Social Psychology, the second is a graduate of Psychology, the fourth has an MPhil in Clinical Psychology, and the fifth author is a Master's student in Clinical Psychology. At the time the research was conducted, the first author was an independent researcher and the second author was his research assistant. The fourth author was a teaching assistant, while the fifth author had started the Master's degree programme.

2.4.1. Interview guide

An interview guide was used in gathering the data. Before the guide was used in the interviews, it was pilot tested to ensure that it evoked the

requisite responses that could help in achieving the objectives of the study. The guide had a section for demographic information of participants and a section that sought to elicit responses that could help the authors achieve the objectives of the research. This second part contained the main questions and probes. For instance, some of the items in this guide were: "What are some of the challenges that you have encountered so far" (probe; "How stressful have these been to you?"); "please can you explain to me how you dealt with these stressful situations".

2.5. Data analysis

The steps outlined by Braun and Clarke (2006) were followed in the thematic analysis of the data. The first author started by reading and re-reading the transcriptions to become familiarised with the data. This was followed by the coding of responses. Thereafter, these codes were grouped according to their similarities and given names. Thus, they were clustered into themes, with some of the themes collapsed into others to form themes and subthemes. These themes and subthemes were vetted by two other co-authors. Codes were not determined in advance but were derived from the data. The resulting themes were then compiled with appropriate quotes from participants for exemplification and explanation.

2.6. Data validity

Credibility, confirmability, dependability, and transferability were ensured in the data gathering process, management, and analysis with the aim of making the findings of the study reliable (Creswell, 2014;

Lincoln & Guba, 1985). The litigants had the requisite experience with the civil litigation process and were in the best position to provide the authors with the appropriate responses. The rapport the authors built with participants before the start of the interviews ensured that the participants provided the needed responses voluntarily. Ambiguities in responses were clarified during and after the interviews. To ensure confirmability, the second and third authors also followed the same procedure in analysing the data. Thereafter, the themes from all three authors were discussed and consensus was reached as to which themes best represented the responses of the participants. To ensure the transferability of the findings, the authors sampled the participants who were in the position to provide the requisite information in achieving the objectives of the study, and also followed due processes when conducting the study. The results are reported according to the criteria for reporting qualitative research (COREQ) (Levitt et al., 2018; Tong et al., 2007).

3. Results

Three themes with subthemes were extracted from the data: *challenges in the court process* (subthemes: frequent adjournments, delays on court days, deliberate dragging of cases, financial strain, opportunity cost), *emotional consequences of the litigation process* (subthemes: stress, over straining, sleepless nights, numbness, acceptance of court proceedings), and *coping mechanisms* (subthemes: always looking for the light at the end of the tunnel, relying on God) (Table 3).

3.1. Challenges in the court process

Participants disclosed the kinds of challenges they faced in the process of seeking justice. Generally, they were of the opinion that there were: *frequent adjournments, delays on court days, deliberate dragging of cases, financial strain, and opportunity cost.*

Frequent adjournments. A number of the participants (n = 8) observed how their cases were frequently adjourned. Frequent adjournments arise where there are multiple litigants and lawyers in the suit. This was because the court always had to get the lawyers to agree on a date that was convenient for all of them. The adjournment may also be occasioned by the number of cases before the court. Due to the volume of the cases, there may be a long queue before the trial commenced. An additional factor that leads to delays and adjournments is the process of interlocutory stays during High Court proceedings for rulings from superior courts, or whereupon appeal cases are required to be tried *de novo*.

“So, what happened is that we will come here every day and the case will be adjourned. The lawyers are many so they will be adjourning the case and this is much stress. The one who started this case is dead and another person has been solicited and yet that person too now is over 75 years and we are young people following him, so this litigation issue, in fact, it's not an easy thing” (Daniel, male, plaintiff, land, 37)

Table 3
Themes and subthemes.

Theme	Subtheme	Frequency
Challenges in the court process	Frequent adjournments	8
	Delay on court days	4
	Deliberate dragging of cases	6
	Financial strain	8
Emotional consequences of the litigation process	Stress	9
	Opportunity cost	5
	Over straining	3
	Sleepless nights	3
	Numbness	3
Coping mechanisms	Acceptance of court proceedings	3
	Always looking for the light at the end of the tunnel	3
	Rely on God	7

However, another litigant suggested that though adjournment of cases was a challenge, there was a positive side to it when costs was awarded to the party who faithfully comes to court.² This happens when the judge determines that the absence of the defendant is a deliberate attempt to force the adjournment of the case:

“Adjournment of cases, it prolongs your process. Just, one thing is that, sometimes when you are lucky and there is a cost awarding to you or for you; that one it also helps you in your financial cost. Because sometimes, if the case is adjourned as a result of the absence of the defendant ..., there is a cost [awarded]. But if it is adjourned, normally, it has to be a reason either through me or them. And if it is through them and it is unnecessary kind of delay, the court will award cost [against them]. The court will ask us, ‘So for wasting your time to the court, what do you want to do?’ Then we will [tell the court that] we want costs awarded. But, aside that, it is a waste of time and it prolongs your court process ...” (Bright, male, plaintiff, labour, 33)

Delays on court days. Aside from the adjournments, some participants (n = 4) also discussed the delays on court days. When the participants go to court, they must wait for a long time before their cases are called. Although they arrived at the time allotted to them, there were occasions when their cases were called very late. One possible reason for this is the convention of seniority at the Bar. Where a junior lawyer is in a court and a senior lawyer enters, the latter's case could be called first, thus pushing the case back in time:

“it looks like it's part of the court's proceedings when you go, you are given a particular time to be present but you end up staying long, other cases will be called, I don't know if it's due to the seniority of the lawyers whatever, other cases will be called, you have to wait for your time. That's another difficulty we had during the process” (Alfred, male, plaintiff, labour, 31)

These daily court delays have an economic impact on litigants. Traders and other businesspersons must leave their trade for the day and attend court without an indication of when their cases would be called. For litigants working under superiors in either the public or private sector, they must seek permission before they can attend court. It therefore leads to frustration:

“You will be in court for a long period time before your case is called. This makes you lose other schedules because I am a business man and time is money. Sometimes you have to just leave business matters to a caretaker when coming to court. And you wouldn't get things done the way you would expect it to be like. It's quite challenging and frustrating” (Baaba, female, defendant, immovable property, 63)

The delays in court proceedings are mainly as a result of two things; firstly there is an etiquette of hierarchy among lawyers meaning that when a lawyer who was called to the Bar earlier is present, their case may be called first or a junior lawyer may have to obtain their permission. Secondly, the issue of court management by the judges may lead to delays. Cases are usually allotted times to be heard. Conventionally, motions are heard early in the day, with trials being held later in the day, but this is dependent on the judge and how they manage the court. Where the court is not well-managed and cases are called arbitrarily, given times may be overlooked and this may result in litigants spending more time in court.

Deliberate dragging of cases. Participants (n = 6) were of the opinion that the frequent adjournments were as a result of deliberate attempts on the part of some litigants to drag the cases unnecessarily. This was often observed where the litigation was being taken against corporate entities

² A judge may ask that a party pays some money to another for various reasons. It may be to serve a hearing notice to the other party who fails to appear in court. The hearing notice is to provide the other party with the date given by the court for the next sitting.

because they have more resources.

“Sometimes it feels like the other party deliberately slows the procedure or tries to delay. I don't know the reasons for that, it's very slow; sometimes it just feels like giving up” (Alfred, male, plaintiff, labour, 31)

This participant suggests that companies often deliberately drag cases in order to frustrate the individual who has little financial resources to continue with the proceedings.

There was also the aspect of the lawyers liaising with each other to drag the case. One participant, Charles, revealed that there was the opinion that when the lawyers perceive that one party is affluent, they connive with each other to drag the case so that they can make more money from the affluent party. Charles' own observations in his encounter with his lawyer convinced him that this perception was true. He had thus decided to sever the relationship with his lawyer:

“I heard some people say that the two lawyers sometimes cooperate [connive]. If the defendants or plaintiffs have money, the two lawyers cooperate and cheat the other person. That's why today, I have decided to finish everything with my lawyer” (Charles, male, plaintiff, land, 62)

Financial strain. Some participants ($n = 8$) revealed that the litigation process was financially demanding. It was observed that even when cases were adjourned, litigants still had to pay lawyers. Therefore, the more the cases are delayed, the more financially demanding it becomes. Some participants complained that the adjournment of the case had affected them financially. They believed they were wrongfully dismissed, and their organisation was supposed to pay compensation; however, the case had been in court for some years, and the final ruling was still to be heard:

“People were not able to secure jobs because of this [their wrongful termination], at times you don't have money to even board a car to the court. Those who have cars don't have money to even buy fuel, you don't even have money to feed your family, let alone get money to buy fuel. So you can see that, when we started, all the 59 people [litigants] were coming to the court, now if you come to the court, you will see only a few people” (Isaac, male, plaintiff, labour, 40)

Financial challenges deterred some of the litigants from attending court frequently. Since they were no longer working, it was difficult to fulfil the financial demands of the litigation process. Their inability to raise money to fend for their families and to afford travel costs to go to the court led to the high attrition rates.

Unlike Isaac, who had a lawyer from his union and as such did not need to individually pay a lawyer himself, other litigants showed how getting money to pay for the services of a lawyer was a challenging. Some of the participants had to be selective of the lawyers because of the high fees they charged:

“Getting a lawyer was difficult. Some of the lawyers I approached earlier charged me a lot and I couldn't afford. I had to move from various lawyers before I had this lawyer. His charges are moderate but the delays are a lot. I have been to court for about 14 years now and anytime you come around you need to compensate the lawyer by paying for his transportation in terms fuel and others”. (Addo, male, plaintiff, immovable property, 62)

The above participant recounts how he had to always raise money to pay for the services of a lawyer for over 14 years that his case had been in court. Throughout those years, he did not have to only pay for the fees charged, but also give the lawyers fuel allowance for coming to court.

“Challenges is finance. Because as I said two years, you haven't gotten the certificate. So you don't work, you are in the house and you are coming to court. Even when you are supposed to file a case, you are supposed to pay” (Yaw, male, plaintiff, human rights, 28)

Yaw was in the court for over two years, meaning that he had to raise money over this entire period, in addition to the money he had to pay for the filing of his case. In Yaw's opinion, he felt he was unfairly treated by

his institution who, due to disciplinary actions, had withheld his degree certificate (withholding his certificate meant that he could not search for job). Being unemployed meant that the money to pay for the process was challenging.

Opportunity cost. Participants ($n = 5$) revealed that they sometimes had to choose between coming to court and attending to other business. In the process of fulfilling their court obligations, a lot of productive time is lost. The thought of what they had lost due to the process of litigation became a source of stress to them:

“If you run a business, you may have an assistant but the person may not be able to handle every issue the way you would handle it. For us the private [business] people, it's a big stress. Sometimes I have two or three different things to do, I have meetings to attend, but you know if you miss a court date, it's like the whole world is turning upside down, everything moves backward so you forfeit your meetings and other things to come to the court you know and that can be very stressful” (Stanley, male, plaintiff, commercial case)

The frequent attendance at court was more debilitating for small business owners who usually had no one to manage their businesses on court days. For some participants, they were faced with the choice of either going to court or attending meetings that could result in benefits to their business. In this situation, the participant faces two kinds of stressors: if they fail to go to court, they feel *“it's like the whole world is turning upside down, everything moves backward”* and *“so you forfeit your meetings and other things to come to the court you know and that can be very stressful”*.

For one particular participant, his case had been in court for over two years and it had not yet started hearing which he cited as a source of stress. To compound the situation, he had to forgo certain issues he had to attend to come to court for over two years, in spite of the fact that his case will not be heard:

“It's been two years since the case came to court [but] they have not even started hearing it. So these are some of the challenges I am facing that is why I am saying, it is very stressful. You wake up in the morning, you have to dress up and go to court. Meanwhile I have a lot of work to do and because of that you have to be here and spend a lot of time. Meanwhile, if you don't go too, it would go against you. So you are compelled to go” (Tony, male, defendant, land case, 55)

Embedded in his response is the notion that he had to also spend more hours at the court while leaving some important things in his life unattended to, if he decides not to honour court sittings, it would go against him in his case. This routine had become stressful to him.

In addition, an older woman disclosed how forgoing her business duties to come to court is stressful to her. Since she does not have anyone to help her with her shop, she had to always shut it down whenever she came to court. The loss as a result, had become a source of stress:

“it has been stressful. Because today I have something to do. I am a pensioner. I do some petty trading. I have a shop. By now I should have been in my shop but I have closed it” (Sharon, female, defendant, immovable property, 63)

3.2. Emotional consequences of the litigation process

This theme seeks to illustrate the emotional outcomes of the challenges litigants face. Participants' responses were grouped under the following subthemes: *stress, over straining, sleepless nights, numbness, and acceptance of court proceedings as part of life.*

Stress. Frequent adjournments of cases had become very stressful to participants ($n = 9$). Some of the litigants had to travel long distances to the court complex for their hearing. As such, when a case is recurrently adjourned, it becomes stressful to the litigants. For instance, a participant shared how stressful it was to travel from his town which is

approximately 50 km away from the central district of Accra where the court complex is situated:

“Looking at the place I travel from to that place [the court] it is far. Coming from Ashaiman to that place, in Accra, any time there is a case, it is really stressful because I have to spend the whole day there. So, if I come and the case has to be adjourned for another time, then it is really stressful” (Bright, male, plaintiff, labour, 33)

In addition to the long distance he needs to travel to get to the court, whenever the case is adjourned, the participant is always required to come to court and wait for the whole day which, in his words, “is really stressful”. Due to frequent adjournments, there are cases that have been in court for several years. In a particular instance, the case had been in court for over 33 years, becoming very stressful to the litigants:

“Okay, we are litigating about land at Amasaman-Fise. This litigation started in 1987 and the case is still pending here and the land in question is a family land and people around us were litigating with other families. These people [co-litigants] are claiming our family land and so the case is here but those people are selling the land. So, what happened is that we will come here every day and the case will be adjourned. The lawyers are many so they will be adjourning the case and this is much stress that the one who started this case is dead and another person has been solicited and yet that person too is now over 75 years old. We are now the young people following him. So this litigation issue, in fact, is not an easy thing” (Daniel, male, plaintiff's son, land, 37).

Another cause of emotional distress is the length that cases spend in court. This typically occurs in land cases and where several parties are involved in the case.

Over straining. The adjournment of cases means that the cost involved in the process also became difficult. Participants ($n = 3$) disclosed that the financial challenges faced during the process had become a source of stress. Some of the participants were faced with a double incident of financial constraint; they were unemployed but also had to spend money on the court process.

“You owe people, you tell them, you promise them that oh, look, you tell them the truth that you are not in a job and because you are not in a job, you are given a severance that will be paid to you and the person should give you this amount of money to do ABC, only for you to go and tell them that, the person refused to pay the severance so the case is in court. The person will come and demand the money and this will increase stress and embarrassment ... and yet you are going to court. It is not easy, no human being in this world will feel comfortable in that situation” (Isaac, male, plaintiff, labour, 40)

The legal process for some of the participants was a gamble. They were wagering on the possibility of winning of the case and borrowing money. Demands by creditors were causing them emotional pain and embarrassment.

Sleepless nights. Participants ($n = 3$) recounted how the case had given them sleepless nights. For example, the sleepless nights had become a source of stress to Wood: *“But I feel stress because you don't know where you are going. Yeah. It will make you sleepless. You can't sleep. Always thinking about the case, Yeah!”* (Wood, male, plaintiff, immovable property, 56).

Numbness. Participants ($n = 3$) showed how they had become numb to stress due to their experience with the process of litigation. Bright revealed that his familiarity with the court process had made him numb to its effects on his life. Over time, he had come to understand the processes and the knowledge that others are experiencing the same process helps cushion him against stress:

“Because sometimes my case can be part of the initial ones. Sometimes, it may be the later part of the cases. So, it depends ... I don't think it is any problem to ... because, I have experienced it over and over so I have become

conversant with the process. So long as my case will come on, on the very day, I don't have a problem” (Bright, male, plaintiff, labour, 33)

Acceptance of court-proceedings. Some of the participants adjusted to the court process after a while. For one participant this adjustment occurred after 6 months of attending the court:

“Oh the whole issue of this personally, let's say after the incident happened, for the first 6 months I didn't take it cool ... I went through series of nervousness and very sad about the whole situation. I couldn't sleep and became restless. So I made up my mind that I am supposed to write the exams and pass. Because the certificate they can't take it for 1000 years. But aside that, after the 6 months I realised that it is part of life experience so you just let it go. So you push. Because when you come here and you lose, you know you have fought a good fight” (Yaw, male, plaintiff, human rights, 28)

This particular participant was preparing for his exams when he received a letter from the disciplinary committee of the University. Within the first six months, which involved meeting the disciplinary committee and taking the case to court, he experienced a lot of stress which, in his words, meant he “*didn't take it cool*”. Thus, it became very stressful to him, manifesting in sleeplessness and restlessness. After the six months he accepted his situation as part of his life.

3.3. Coping mechanisms

In spite of the stressors participants encountered, they devised ways of coping. Their ways of coping generally clustered around the subthemes of remaining positive and depending on their belief in God.

Always looking for the light at the end of the tunnel. Some participants ($n = 3$) relied on hope to help them cope with the stress associated with the process of litigation. To one participant, the thought that something positive was going to come out of the case helped him to endure for the moment. He believed that he will be eventually paid his allowances/salaries due:

“We cope with the belief that at the end, something positive will come out so I will say it's more of hope. So we just have to endure and do whatever we have to do to get what we want” (Alfred, male, plaintiff, labour, 31)

For others, the possibility that judgment will be delivered in their favour propelled them: *“... We have been in court for almost two years, so it's only hope ... Hope that one day, we will be served with justice”* (Isaac, male, plaintiff, labour, 40).

Relying on God. Participants ($n = 7$) also believed that a God was in charge of their destiny. By this, they supported the idea that a higher power was involved in the process of justice delivery. Not only that, they believed a God was also responsible for the final ruling and would not permit any form of injustice. For one participant, saying that Allah was with him was to declare that he is on the side of Allah, who will not forsake his own: *“Oh me, I hope with Allah everything will be okay. I console myself that Allah is with me and he won't let anyone take me for a ride”* (Yaw, male, plaintiff, human rights, 28).

Other participants invoked their religious faith, noting that ‘God intervenes’ and will ensure that justice prevails.

“I believe with your faith, God intervenes. Because I believe God is God ... He doesn't lie. So if you are on the wrong path and you say God should help, it won't happen. So definitely your faith will give you victory. You will definitely let God take over. I have put my trust in God and I always pray about it. I know I would definitely succeed and win this case” (Shirley, female, plaintiff, immovable property, 63)

This participant constantly engaged in prayer to deal with the stress associated with the case. She thought that the intrusive nature of the stress can only be dealt with through prayer. Moreover, she believed that

prayer will eventually bring about the needed victory and when the victory is obtained, the stress will also cease.

4. Discussion

The quantitative phase of the study gave a general idea about the stress symptoms recorded among litigants and the various coping strategies adopted (Parimah et al., 2020). Given the limited sample size, the qualitative phase was intended to help explain and expand upon the results found in the quantitative phase, by providing a snapshot of the experiences of people litigating as individuals (who happen to record more stress symptoms, and also use more coping strategies compared with those litigating on behalf of their companies). The study sought to answer two questions: (1) what are the stressors people litigating as individuals encounter in Ghana? and (2) how do people litigating as individuals cope in the process of litigation in Ghana? The responses of the participants clustered around three themes of *challenges in the court process*, *emotional consequences of the litigation process*, and *coping mechanisms*.

Litigants considered the frequent adjournment of cases, delays on court days, deliberate dragging of cases, financial strain, and opportunity cost to be the challenges in the process of litigation. This affirms the findings by Crook (2004), who pointed out that adjournment of cases compounds the financial responsibility of litigants.

There was the suspicion among the litigants that the frequent adjournments could be deliberately orchestrated by the lawyers. The understanding was that as the cases are adjourned, they would have no option than to continue paying legal fees. This became financially exacting on the litigants who had to pay legal fees, as well as transport themselves to the court complex on each court date. However, this may not be accurate since members of the Bar are required to be civil to each other. Some clients may perceive this civility to be connivance. Education on a few of these nuances of Bar etiquette might be helpful. The interaction between litigants and their lawyers is an interesting finding that could be further explored in subsequent studies. Further, a scientifically-derived estimation of the average lengths of time for cases could also be provided to litigants so that they can have a fair estimation of how long their cases might last. This would help them to better assess their financial capabilities when they seek to litigate.

Marshall et al. (2004) suggested that when cases delay in court, they pressure the financial resources of individual litigants. In this current study, the financial demands of litigation were a strain on the litigants and led to some attrition. The lack of sufficient funds to meet the obligation of the process of litigation became a stressor. This was linked to the adjournment of cases. As cases are adjourned, the more financially exacting the process of litigation becomes.

Litigants also disclosed how the thought of the case gave them sleepless nights. This tallies with the results of Parimah et al. (2020), who found that litigants sometimes have sleepless nights due to the cases they are involved in. In effect, lawyers should be educated on how stressful the process of litigation is in order for them to be considerate of litigants when charging fees. For this, the Ghana Bar Association must be consulted to create a sliding-fee schedule in the Bar Scale of Fees that is published each year.³ Finally, counselling services should be provided by law firms for their clients, or lawyers should be given some form of training in counselling to help their clients.

Moreover, there was an opportunity cost involved in the litigation process. Participants often had to forgo other duties to attend the court. This brought about disruptions in the lives of litigants. In line with this, Guthiel et al. (2000, p.10) stated that "contemplating, understanding or having undergone a suit is distressing and disruptive. It saps energy and distracts from the normal daily preoccupations that we call 'life'".

³ The Ghana Bar Association publishes a document annually which gives details of the transaction and how much lawyers are expected to charge for such services according to their age at the Bar.

Further, Guthiel et al. (2000) pointed out that delay and prolongation of the court process contributed to critogenic harm. Likewise, the process of litigation leads to work disruption which becomes a stressor (Picou et al., 2004). The stressful nature of the adjournment of cases has also been documented. Clemente and Padilla-Racero (2020) showed that the rate of mental health deterioration among both defendants and plaintiffs was positively associated with the number of trials.

The findings of this study highlight that Ghana's judicial service should consider initiatives to make the court process less stressful for litigants. Already, some efforts are being made to abridge some of the procedures using case conferencing and tele-trials. The COVID-19 pandemic and its attendant restrictions on mass gatherings have re-focused the court's attention to the use of technology. The e-justice platform is being rolled out in the courts and presently, some courts have been designated to provide trials via Microsoft Teams during the 2020 legal vacation period.

It was observed that after a while, litigants became numb to the stressors they encountered in the process of litigation. Their ability to develop resilience stemmed from their belief that the outcome of the litigation would be in their favour. However, such hope has been found to be cyclical leading to the development of numbness (Guthiel et al., 2000). Furthermore, litigants relied on their beliefs to help them make sense of what they were experiencing and to cope with the process of litigation. They believed in the therapeutic nature of prayer and the presence of a supreme being. This is in consonance with the general religious nature of Ghanaians (Asamoah-Gyadu, 2005; Ghana Statistical Service, 2013; Kwakye-Nuako & Dankwah, 2012) as well as previously reported evidence that litigants in Ghana rely on their religious beliefs to help them cope with the process of litigation (Parimah et al., 2020). It has been explained that some people use the emotion coping style by engaging in activities that are emotionally releasing (Clarke, 2006; Skinner et al., 2003; Folkman & Moskowitz, 2005). These activities take the form of meditation, and prayer, to help litigants cope with their stressors. Additionally, it has been suggested that others use seeking-understanding coping to help them make sense of what they are experiencing (Clarke, 2006; Skinner et al., 2003; Folkman & Moskowitz, 2005). Our findings support the position of Kalavina (2014) that through their spirituality, people are likely to hold the belief that a God is in control of their situation. The litigants relied heavily on religion as a coping mechanism and on a belief in a God who they thought could influence the justice process in their favour. Ghanaians are known to be highly religious, with over 90% of Ghanaians belonging to a religious body (Ghana Statistical Service, 2012) and interpreting their success in religious terms (Osei-Tutu et al., 2018).

4.1. Study limitations

The study was not without limitations. Firstly, although the participants were recruited from a cosmopolitan area, the study could have benefitted from the inclusion of litigants from various parts of the country. Additionally, member checking could have further enhanced the findings of the study. However, without it, observation of the process helped the authors to capture the essence of what the participants were saying. Again, participants may have been more agreeable towards longer interviews had they been held outside the court premises. It is possible that the high level of anxiety within the court premises could have also affected responses, hence the hurried way they responded to the interview items. Further, the presence of other litigants (although they were at a distance) could have affected the responses of the participants. Future studies should consider conducting more extensive interviews with litigants, preferably out of the court premises. Also, other studies should consider using a larger sample size. Case studies could also be used in other studies for the purposes of depth.

4.2. Conclusion

As the qualitative phase of a mixed-method sequential study, the study provided a snapshot of the experiences of people litigating as individuals in the civil litigation process in Ghana, to explain the results found in the quantitative phase (see Parimah et al., 2020). Delays on court days, frequent adjournments, deliberate dragging of cases, and financial strain were the challenges faced by litigants in the process of litigation. Further, as litigants continue to experience stressors in the process of litigation, they become numb to those stressors. There is evidence that the process of litigation was disruptive and this led to the experience of stress. As cases are delayed and prolonged, this sense of disruption continues. Moreover, there is an opportunity cost involved in litigating which means that a lot of productive time is lost in the process of litigation.

The main method of coping found in this study was a reliance on religious belief. Seeing that they could not do much to influence the process or the outcome of their cases, litigants sought the help of a higher being who they thought could ensure a speedy and successful process. The findings suggest the need for the Ghanaian Bench and Bar to consider conscious efforts to make the litigation process psychologically friendly and less stressful. This could be achieved by intensifying initiatives in the provision of e-justice, giving litigants a scientifically derived estimate of the duration of a case in advance, providing education on legal processes and Bar etiquette, and charging moderate legal fees (especially for those who are financially challenged). Lawyers should also be given some level of training in counselling to help their clients throughout the process of litigation.

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Ethical approval

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Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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References

- Asamoah-Gyadu, K. J. (2005). "Christ is the answer": What is the question? A Ghana Airways prayer vigil and its implications for religion, evil and public space. *Journal of Religion in Africa*, 35(1), 93–117.
- Asamoah, M. K., Osafo, J., & Agyapong, I. (2014). The role of Pentecostal clergy in mental health-care delivery in Ghana. *Mental Health, Religion & Culture*, 17(6), 601–614. <https://doi.org/10.1080/13674676.2013.871628>
- Bernard, H. R. (2002). *Research methods in anthropology: Qualitative and quantitative approaches* (3rd ed.). Alta Mira Press.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. <https://doi.org/10.1191/1478088706qp0630a>
- Clarke, A. T. (2006). Coping with interpersonal stress and psychosocial health among children and adolescents: A meta-analysis. *Journal of Youth and Adolescence*, 35(1), 11–24. <https://doi.org/10.1007/s10964-005-9001-x>

- Clemente, M., & Padilla-Racero, D. (2020). The effects of the justice system on mental health. *Psychiatry, Psychology and Law*, 1–16. <https://doi.org/10.1080/13218719.2020.1751327>
- Cohen, L. J., & Vesper, J. H. (2001). Forensic stress disorder. *Law and Psychology Review*, 25, 1–27.
- Cresswell, J. W., & Plano Clark, V. L. (2011). *Designing and conducting mixed method research* (2nd ed.). Sage.
- Creswell, J. W. (2003). *Research design: Qualitative, quantitative, and mixed methods approaches* (2nd ed.). Sage.
- Creswell, J. W. (2014). *Research design: Qualitative, quantitative and mixed methods approaches* (4th ed.). Sage Publications.
- Creswell, J. W., Plano Clark, V., Gutmann, M., & Hanson, W. (2003). Advanced mixed methods research designs. In A. Tashakkori, & C. Teddlie (Eds.), *Handbook of mixed methods in social and behavioral research* (pp. 209–240). Sage.
- Crook, R. C. (2004). Access to justice and land disputes in Ghana's state courts: The litigants' perspective. *Journal of Legal Pluralism and Unofficial Law*, 36(50), 1–28. <https://doi.org/10.1080/07329113.2004.10756576>
- Folkman, S., & Moskowitz, J. T. (2005). Coping: Pitfalls and promise. *Annual Review of Psychology*, 55, 745–774. <https://doi.org/10.1146/annurev.psych.55.090902.141456>
- Ghana Statistical Service. (2012). *2010 population and housing census: Summary report of final results*.
- Ghana Statistical Service. (2013). 2010 population & housing census report - children, adolescents & young people in Ghana. http://www.statsghana.gov.gh/docfiles/publications/2010phc_children_adolescents_&young_people_in_Gh.pdf.
- Gill, D. A. (2008). Exxon Valdez oil spill litigation and community resilience. *Natural Hazards Observer*, 33(2), 4–6, 1.
- Gill, D. A., Ritchie, L. A., & Picou, J. S. (2016). Sociocultural and psychosocial impacts of the Exxonvaldez oil spill: Twenty-four years of research in Cordova, Alaska. *The Extractive Industries and Society*, 3(4), 1105–1116. <https://doi.org/10.1016/j.exis.2016.09.004>
- Guthrie, T. G., Bursztajn, H., Brodsky, A., & Strasburger, L. (2000). Preventing "critogenic" harms: Minimizing emotional injury from civil litigation. *Journal of Psychiatry & Law*, 28, 5–16.
- Horowitz, M., Wilner, N., & Alvarez, W. (1979). Impact of event scale: A measure of subjective stress. *Psychosomatic Medicine*, 41, 209–218.
- Ivankova, N., Creswell, J., & Stick, S. L. (2006). Using mixed-methods sequential explanatory design: From theory to practice. *Field Methods*, 18, 20–23.
- Jaray, K. (2012). *Psychological and financial consequences of personal injury litigation: Exploring a collaborative and restorative alternative*. <https://doi.org/10.2139/ssrn.2270299>
- Judicial Service of Ghana. (2017). *Judicial service annual report 2015/2016*. Judicial Service of Ghana.
- Kalavina, R. (2014). *Exploring the challenges and experiences of stroke patients and their spouses in Blantyre Malawi*. Cape Town: Unpublished Master's thesis, University of Western Cape.
- Koenig, H. G. (2012). Religion, spirituality, and health: The research and clinical implications. *ISRN psychiatry*, 278730. <https://doi.org/10.5402/2012/278730>, 2012.
- Koenig, H. G., King, D. E., & Carson, V. B. (2012). *Handbook of religion and health* (2nd ed.). Oxford University Press.
- Kwakye-Nuako, C. O., & Dankwah, J. (2012). Religion and treatment of psychological disorders in Ghana: A review of the Ghanaian literature. *Ghana Social Science Journal*, 9(1), 93–107.
- Lawson, A. K., & Fitzgerald, L. F. (2016). Sexual harassment litigation: A road to re-victimization or recovery? *Psychological Injury and Law*, 9, 216–229. <https://doi.org/10.1007/s12207-016-9269-z>
- Lazarus, R. S. (1993). From psychological stress to the emotions: A history of changing outlooks. *Annual Review of Psychology*, 44, 1–21. <https://doi.org/10.1146/annurev.ps.44.020193.000245>
- Lees-Haley, P. R. (1988). Litigation response syndrome. *American Journal of Forensic Psychology*, 6, 3–12.
- Levitt, H. M., Creswell, J. W., Josselson, R., Bamberg, M., Frost, D. M., & Suarez-Orozco, C. (2018). Journal article reporting standards for qualitative research in psychology: The APA Publications and Communications Board task force report. *American Psychologist*, 73(1), 26–46. <https://doi.org/10.1037/amp0000191>
- Lincoln, Y. S., & Guba, E. G. (1985). *Naturalistic inquiry*. Sage Publications.
- Marshall, B. K., Picou, J. S., & Schlichtmann, J. R. (2004). Technological disasters, litigation stress and the use of alternative dispute resolution mechanisms. *Law & Policy*, 26, 289–307.
- Matsuzawa, Y. K., & Dijkers, M. P. (2015). The experience of litigation after TBI.II: Coping with litigation after TBI. *Psychological Injury and Law*, 8, 88–93. <https://doi.org/10.1007/s12207-014-9212-0>
- Mole, L., Kent, B., Hickson, M., & Abbott, R. (2019). It's what you do that makes a difference' an interpretative phenomenological analysis of health care professionals and home care workers experiences of nutritional care for people living with dementia at home. *BMC Geriatrics*, 19(1), 250. <https://doi.org/10.1186/s12877-019-1270-4>
- Nkomo, T. S., Herbst, A. G., & Du Plessis, E. (2017). The spiritual journeys of a group of healthcare professionals at a South African Provincial Hospital. In A. de la Porte, N. Joubert, & A. Oberholzer (Eds.), *Proceedings of the 2nd biennial South African conference on spirituality and healthcare newcastle upon tyne*. Cambridge Scholarly Publishing.
- Osei-Tutu, A., Dzokoto, V. A., Adams, G., Hanke, K., Kwakye-Nuako, C., Adu-Mensa, F., & Appiah-Danquah, R. (2018). 'My own house, car, my husband, and children':

- Meanings of success among Ghanaians. *Heliyon*, 4(7). <https://doi.org/10.1016/j.heliyon.2018.e00696>
- Palinkas, L. A., Horwitz, S. M., Green, C. A., Wisdom, J. P., Duan, N., & Hoagwood, K. (2015). Purposeful sampling for qualitative data collection and analysis in mixed method implementation research. *Administration and policy in mental health*, 42(5), 533–544. <https://doi.org/10.1007/s10488-013-0528-y>
- Parimah, F., Davour, M. J., Kwakye-Nuako, C. O., & Adih, P. (2020). Stress and coping among litigants in the civil litigation process in Ghana. *Journal of Forensic Psychiatry and Psychology*, 31(2), 331–343. <https://doi.org/10.1080/14789949.2020.1735484>
- Patton, M. Q. (2002). *Qualitative research and evaluation methods* (3rd ed.). Sage.
- Picou, J. S., Marshall, B. K., & Gill, D. A. (2004). Disaster, litigation, and the corrosive community. *Social Forces*, 82, 1493–1522.
- Pyo, J., Ock, M., & Han, Y. (2019). Medical litigation experience of the victim of medical accident: A qualitative case study. *International Journal of Qualitative Studies on Health and Well-Being*, 14(1), 1595958. <https://doi.org/10.1080/17482631.2019.1595958>
- Quansah, E. K. (2011). *Ghana legal system*. Black Mask Ltd.
- Ryll, N. A. (2015). Living through litigation: Malpractice stress syndrome. *Journal of Radiology Nursing*, 34(1), 35–38. <https://doi.org/10.1016/j.jradnu.2014.11.007>
- Shin, H. S. (1998). Adversarial and inquisitorial procedures in arbitration. *The RAND Journal of Economics*, 29(2), 378–405. <http://www.jstor.org/stable/2555894>
- Skinner, E. A., Edge, K., Altman, J., & Sherwood, H. (2003). Searching for the structure of coping: A review and critique of category systems for classifying ways of coping. *Psychological Bulletin*, 129(2), 216–269. <https://doi.org/10.1037/0033-2909.129.2.216>
- Sundin, E. C., & Horowitz, M. J. (2002). Impact of event scale: Psychometric properties. *British Journal of Psychiatry*, 180, 205–209.
- Tong, A., Sainsbury, P., & Craig, J. (2007). Consolidated criteria for reporting qualitative research (COREQ): A 32-item checklist for interviews and focus groups. *International Journal for Quality in Health Care*, 19(6), 349–357. <https://doi.org/10.1093/intqhc/mzm042>