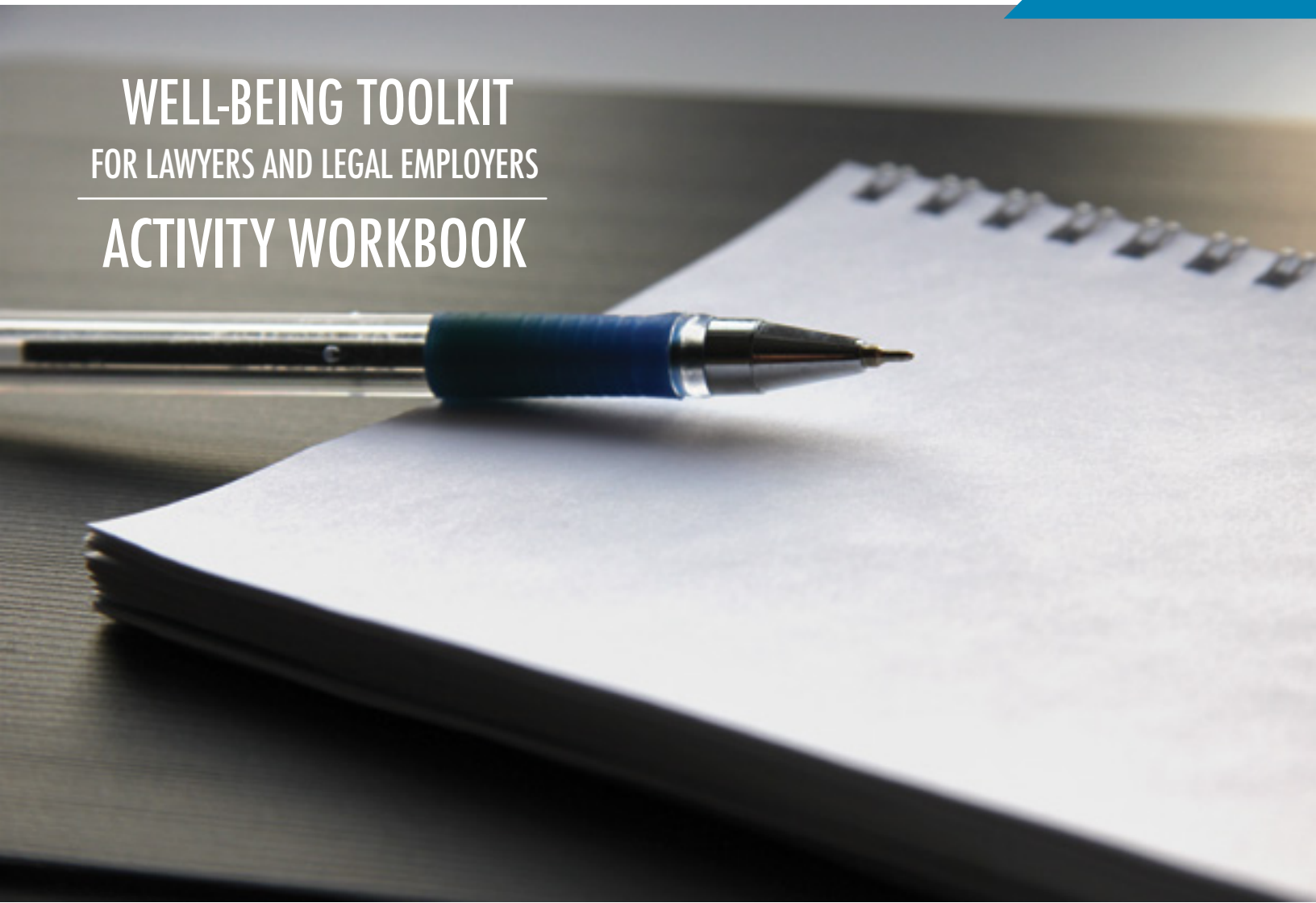




WELL-BEING TOOLKIT

FOR LAWYERS AND LEGAL EMPLOYERS

ACTIVITY WORKBOOK

WHAT IS THE WORKBOOK?

In the following pages, you'll find Well-Being Worksheets that provide hands-on activities, guidelines, reminders, and the like to help boost well-being. The Worksheets can be used by individual lawyers or collectively as part of legal employers' well-being initiatives.

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How To Be Happier? Make it a Priority

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While genetics play a role in our patterns of happiness, our biology doesn't have to be our destiny. Much about our genetic makeup is malleable. Also, our life circumstances and factors within our voluntary control play a big role in our level of happiness (Lyubomirsky et al., 2005). This is good news. It means that even those born with a genetic tendency for gloominess have an opportunity to take control over factors that can significantly increase their well-being.

HAPPINESS IS WORTH THE EFFORT

Most of us would like more happiness in our busy lives, and science shows that it's worth making an effort. People with a Positive Emotional Style (PES)—who tend toward positive emotions—are more resilient, healthier, and happier. Among other things, they have fewer symptoms of anxiety and depression; live longer; have better immune systems, cardiovascular health, and pulmonary functioning; and have higher life and work satisfaction (Brafford, 2017). Science suggests that creating a personal Happiness Plan can contribute to our health and success.

PRIORITIZE POSITIVITY

When designing your own Happiness Plan, you'll want to keep in mind that, for evolutionary reasons, bad is stronger than good: Negative emotions are much stronger than positive ones. We're hardwired to react more strongly to bad things. As a result, we're not likely to feel happy (and experience the related beneficial effects) unless our positive emotions outweigh bad ones.

To feel happy, shoot for a ratio 3-5:1. In other words, try to offset every negative experience with three to five positive ones. This is not to say that we should strive to eliminate negative emotion (which would be impossible anyway!). Negative emotions are useful.

They let us know, for example, when we need to make important changes and often accompany early stages of growth activities. But if negative emotions dominate our lives, our health and well-being will suffer. Especially if you experience a high frequency of negative emotions as a regular part of your work (as lawyers often do), you may need to consciously seek out good things to restore your equilibrium after something bad happens. No one said happiness didn't require some work!



But be aware that pursuing happiness for its own sake can backfire and make us less happy. The best strategy is to deliberately plan daily opportunities that can lead to naturally-occurring positive emotions (Datsu & King, 2016). Focus on the journey, not the destination. The benefits are greater positive emotions and well-being.

CHOOSE HIGH-VALUE HAPPINESS ACTIVITIES

Not all activities that trigger short-term positive emotions contribute equally to our long-term happiness. Scarfing down an entire pizza with extra cheese, for example, may give me a jolt of temporary pleasure, but it's unlikely to do much for my long-term well-being. Activities that will give the biggest boost to our health and happiness are those that support our basic needs as continually-evolving



human beings. The challenge will be to figure out how to include more activities that support these needs into your everyday life. It won't happen by accident.

- ✓ **Connection & Belonging.** We humans have a fundamental need to connect and belong. This includes supportive relationships as well as a sense of belonging or fit with groups we care about. A sizable body of inter-disciplinary research shows that this need is powerful and pervasive. It can help or harm our cognitive processes, emotional patterns, behaviors, and health and well-being. A poor sense of belonging and feelings of exclusion can trigger self-defeating behaviors like procrastination, lethargy, and depression.
- ✓ **Mastery Activities.** Our fundamental needs also include feeling confident in our ability to master new skills and to have an impact on our environment. Continuous learning and a growing sense of mastery in activities that are significant to us are keys to this source of well-being.
- ✓ **Maximize Autonomy.** A third fundamental need is driven by a basic human desire to be "self-creating" and under self-rule. It's about feeling authentic and like the author and architect of our own behavior—that our behavior aligns with our interests and values and is within our responsibility and control.
- ✓ **Help Others.** Research also suggests that we have a basic need to feel that we're benefiting others or the common good.
- ✓ **Do Something Meaningful.** We often waste our scarce free time by mindlessly watching TV, paging through gossip magazines, reading click-bait on the Internet, or perusing social media. These don't contribute much to our sense of meaningfulness in our lives or work--which research shows is powerfully related to health and happiness. Meaningful activities include those that make us feel that we're doing something

significant within your own values system and/or that help us make progress toward goals or a general purpose.

PLAN & TRACK YOUR PROGRESS

It may seem counter-intuitive but, like anything worth doing, increasing happiness will take effort and planning. Below are suggested steps to get started on your Happiness Plan:

- 1. Learn Your Behavior Patterns.** Much of our behavior is so automatic that it occurs outside of our awareness and as a matter of habit. To begin to change our patterns to boost well-being, we need to gain better awareness of them. A good way to do so is to create an Activity and Mood Monitoring Chart. For a week or more, complete an activity log (sort of like your billable time log) on an hour-to-hour basis. Write down brief statements of what you are doing each hour (Addis & Martell, 2004).
- 2. Learn Associated Moods.** Next, for each activity, write down a few words that describe how you felt during the activity. Words might include, for example, happy, joyful, passionate, angry, anxious, or sad. Rate each emotion on a scale of 1 to 10, with 10 being the most intense (Addis & Martell, 2004).
- 3. Review What You Noticed.** After you've created your logs for a week, review them and identify patterns. Did your moods vary or not? Are there common times of the day that are more difficult or easier for you? Are there situations that routinely make you happy or are associated with negative emotions? (Addis & Martell, 2004).
- 4. Identify Behaviors That Have Positive/Negative Impact.** Next, review your logs and identify what activities or behaviors made you feel bad on a regular basis. Consider what alternatives you may have that can make you feel better or improve the situation. Also identify activities and behaviors that regularly boosted your mood. Consider why that was so and how you can increase those ingredients in your daily schedule.



5. Create a Schedule of Mood-Boosting Activities.

After looking over the behaviors, activities, and alternatives from Step 4, create a daily log for the upcoming week in which you schedule do-able activities that may help you avoid negative experiences and increase positive ones. Also try to choose high-value happiness activities that are most likely to have the biggest positive impact:

WEEKLY PLANNER							
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
8:00 am							
9:00 am							
10:00 am							
11:00 am							
12:00 pm							
1:00 pm							
2:00 pm							
3:00 pm							
4:00 pm							
5:00 pm							
6:00 pm							
7:00 pm							
8:00 pm							

- How can you connect more frequently with people who give you energy? How can you foster a greater sense of belonging inside of work and in non-work activities? What can you do to contribute to others' sense of connection and belonging?
- What can you do to support your need for continual learning and mastery--both inside work and in non-work activities? How can you help others do the same?
- How can you more effectively plan your schedule and activities so that you feel that they are more aligned with your own interests and choices? How can you reduce feeling that you're being "bossed around" by your schedule and others' demands? How can you help support others' autonomy?
- What can you do each day or each week to support others or the common good? How can you highlight for others how their contributions have helped you, clients, or others?

- How might you foster a greater sense of meaningfulness in your work and non-work life? What can you do to ensure that meaningful activities are prioritized over mindless activities? How can you help others feel a greater sense of meaning?

Start relatively small so that you can ensure early wins that will fuel your motivation to keep at it. As you pick up momentum, you can increase the difficulty of your goals and begin designing realistically ideal days that are filled with more positive experiences.

6. Adopt a Mindset of Curiosity. As you progress through these steps, do so with an experimental (not a judgmental) mindset. Notice how you feel and whether your plan is working or not. No matter what the outcome, you're likely to learn something useful. Keep trying new experiments to discover what works best for you.

7. Periodically Measure Your Happiness. To test whether your Happiness Plan is working, consider measuring your level of happiness with a validated scale. To get a base line, take a happiness survey before you launch your Happiness Plan. Then repeat the survey in six-week intervals and keep track of your results. You might find your happiness levels perking up!

One good measure to use is Subjective Well-Being, which is discussed in the Assessments section of the Toolkit. It measures life satisfaction and your balance of positive to negative emotions. It has been linked to many positive well-being consequences.

If you're experiencing depressive symptoms, you might also decide to use a depression scale to track your progress--such as the [CES-D Scale](#) discussed in the Assessment section. The recommendation here to prioritize positivity is similar to what's called "behavioral activation." This is a cognitive behavioral-based strategy for overcoming depression and other mental health difficulties that's been used effectively as part of self-help programs and in conjunction with clinical therapy (Addis & Martell, 2004). The strategy



involves identifying one's values and scheduling daily activities to better align with those values. To learn how to take a structured approach to behavioral activation, Drs. Michael Addis and Christopher Martell's award-winning workbook [Overcoming Depression One Step at a Time](#) guides readers through helpful exercises.

CONCLUSION

As the above reflects, for many of us, making up our minds to be happier and healthier by prioritizing positivity is likely to have the intended results. Fellow lawyer Abraham Lincoln appears to have had it about right when he said, "Folks are usually about as happy as they make up their minds to be."

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High-Quality Happiness Activities



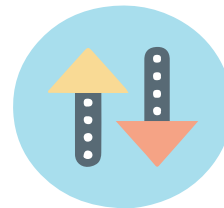
Connection & Belonging

Supportive relationships and a sense of belonging or fit with groups we care about.



Mastery Activities

Continually learning, growing, and gaining confidence in our ability to make things happen.



Autonomy

Feeling that our choices are self-authored and aligned with our own preferences. The opposite of feeling controlled, forced, or guilt-driven.



Helping Others

Having a positive impact on others or the common good.



Meaningfulness

Feeling that our activities are significant within our own values system.



6 Sources of Well-Being: Create Your PERMA-H Formula

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PERMA is a [theory of well-being](#) developed by Dr. Martin E.P. Seligman and includes the following five dimensions: Positive emotions, Engagement, Relationships, Meaning, and Achievement (also called Accomplishment). According to Dr. Seligman, people thrive or flourish when they prioritize all of these dimensions. While Dr. Seligman has not formally added “health” to his theory, my colleagues and I think it is an indispensable aspect of well-being.

INSTRUCTIONS FOR PART 1:

Answer the questions below and then assign a value for each category, for a total of 40 points (your “PERMA-H Score”).



POSITIVE EMOTION: What positive emotions do you experience regularly? What activities facilitate those emotions?

VALUE: _____



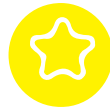
ENGAGEMENT: What activities cause you to lose track of time and make you feel like you’re “in the zone?”

VALUE: _____



RELATIONSHIPS: Who are the people at work and home who most contribute to your sense of well-being? Who makes you feel the most authentic?

VALUE: _____



MEANING: What contributes to your sense of meaning and purpose?

VALUE: _____



ACHIEVEMENT: What activity types drive you? What does achievement mean to you?

VALUE: _____



HEALTH: Burnout prevention requires self-care. How do you re-charge your batteries at work and outside work? What prevents you from fostering good self-care habits?

VALUE: _____

INSTRUCTIONS FOR PART 2:

Step 1. Create a PERMA-H Score that represents how you feel when you’re at your best.

Step 2. Now create a second PERMA-H Score for how you feel on a typical day.

Step 3. What are the similarities and differences?

(The PERMA model was created by Dr. Martin E.P. Seligman. Thanks to my colleague Gretchen Pisano for introducing me to the concept of creating a formula.)



Grow Your Gratitude

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Because how you *think* about yourself and everything around you is more important to your happiness than your actual objective circumstances, increasing your attention to all the good things in your life can significantly enhance your happiness. Multiple studies have shown the positive power of gratitude (e.g., Emmons & McCullough, 2003; Lyubomirsky, Sheldon et al., 2005; Sheldon & Lyubomirsky, 2006). People who are consistently grateful are happier; more energetic; and less depressed, anxious, and envious (Lyubomirsky, 2008).

THREE GOOD THINGS

One well-tested activity is to take time once a week to write down three or more things for which you're grateful. Studies have shown that people who do this activity for six weeks markedly increase their happiness (Lyubomirsky, Sheldon et al., 2005). But it's also important to vary your gratitude activities so that you don't get bored. The good effects can wear off if you do the same activity all the time. Below is a list of different gratitude activities for you to try. Pick one day each week to do your gratitude activity—e.g., Thankful Thursdays. And then pick an activity. Try one for three or more weeks and then switch to another.

GRATITUDE JOURNAL

Once a week, think about everything—large and small—for which you are thankful (e.g., got called on in class and was prepared, roommate made a delicious dinner, tulips are blooming). Think about things you're good at, advantages you've had, people who care about you and have touched your life. Then pick three to five things and write a brief note about them. Try out a gratitude journal website or smart phone app (e.g., My Gratitude Journal by Happytapper), which will send you regular reminders.

APPRECIATIVE ART

Engage in something artistic to express your gratitude to another. Draw or paint a picture, make a collage, sculpt with clay, etc. Or write a poem, a song, or a story. Studies indicate that art-creation boosts mood (Dalebroux, Goldstein, & Winner, 2008). Evidence suggests that art-making that depicted something happy was more effective at improving short-term mood than using art to vent negative emotions (Dalebroux et al., 2008).

Evidence also indicates that a variety of different art-making activities (e.g., drawing, painting, collage-making, clay work, etc.) may reduce anxiety (Sandmire, Gorham, Rankin & Grimm, 2012). So, engaging in an appreciative art activity may give you benefits both from artistic engagement and from your grateful thinking.





GRATITUDE PHOTO COLLAGE

Taking and sharing “selfies” is popular, but try this too: For a week, keep a look-out for every-day things for which you’re grateful (e.g., your dog, a warm garage in winter, dinner with friends, your baby sister) and take photos of them. At the end of the week, post them all on your favorite social networking website with fun notes. Research shows that sharing good things with others (the more the better) actually increases your enjoyment of them (Gable & Reis, 2004; Gable & Gosnell, 2011). So share your photos with friends and explain why they represent something for which you’re grateful.

GRATITUDE LETTER

Think about the people for whom you feel grateful—a family member, old friends, a special teacher or coach, a good boss. Write a letter expressing your gratitude and, if you can, visit that person and read it aloud or call them on the phone. Describe in detail what they did for you and how they affected your life. You might even write a letter to people who are helpful everyday but whom you don’t know—e.g., postal carrier, garbage removers, bus drivers, politicians, authors. You might also choose to write a letter but then not deliver it.

One study showed that participants who spent 15 minutes writing gratitude letters once a week over an eight-week period became happier during and after the study (Lyubomirsky, 2008). Check out this fun [video from Soul Pancake](#) showing real-life results from the gratitude letter activity.

GRATITUDE JAR

Designate a jar or other container as the Gratitude Jar and invite others to drop notes in whenever someone does something helpful. Then read the notes aloud once a week. Use this activity with your roommates, classmates, family, team members, work colleagues—any group that spends significant time together.

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Do Acts of Kindness

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Scientific studies have shown that doing acts of kindness for others is not just helpful to them, it's also good for your own well-being (Lyubomirsky, et al., 2005). There are a number of ways to maximize your happiness from acts of kindness:

BURSTS OF KINDNESS

People typically get a bigger boost to their happiness when they do a bunch of smaller acts of kindness or one big act of kindness all on one day rather than spread out over a week (Lyubomirsky, et al., 2005). So consider adopting "Friendly Fridays" (or whatever day of the week you like) to shower those around you with kindness.

YOU CHOOSE

Your acts of kindness should be things you choose and not too disruptive to your life (Della Porta, 2012).

AIM FOR VARIETY & NOVELTY

Variety is important. Shake it up so that you don't get bored. You're more likely to sustain the benefits of doing acts of kindness when you vary your activities (Lyubomirsky & Layous, 2013). Also, your acts of kindness should be new and outside of your routine activities.

KEEP A KINDNESS JOURNAL

Record your planned acts of kindnesses and reflect on the experience. There's evidence that counting your own acts of kindness contributes to increases in happiness (Otake et al., 2006).



BE MINDFUL

Do your kindness activities mindfully. Put yourself in the other persons' shoes and consider the impact of your actions on their lives (Lyubomirsky, 2007).

DO SECRET ACTS

Remember that acts of kindness are not all about receiving approval and admiration. Consider doing at least one act of kindness per week anonymously. Giving for kindness' sake can reap tremendous rewards.

BE AUTHENTIC

Acts of kindnesses can be big or small. What is important is that they be a part of your kindness intention. You'll want to design

activities that feel authentic for you.

44 ACTS OF KINDNESS TO DO FOR YOUR BOSSES, COLLEAGUES, STAFF, & CLIENTS

"No act of kindness, no matter how small, is ever wasted." —Aesop

1. Offer to help them with a difficult project or meet a tight deadline.
2. Tell them why you appreciate them.
3. Be a cheerleader for their ideas.
4. Share your expertise with them.
5. Do great work that's ready to go and requires little more from them.
6. Send them flowers.



7. Bring their favorite kind of coffee from their favorite coffee shop.
8. Assume their good intentions.
9. Make sure they know why their work matters and how it benefits others.
10. Admit to them when you're wrong.
11. Invite them to lunch.
12. Put your phone away when you're with them.
13. Tell them thank you.
14. Cheer them up after disappointments.
15. Write, make, or buy something to provide encouragement when they're experiencing difficulties.
16. Praise them to others.
17. Really be present and listen to them without interrupting.
18. Learn something new about them.
19. Look for opportunities to make helpful introductions.
20. Celebrate their accomplishments.
21. Help them before they ask.
22. If they're overwhelmed with personal or work challenges, ask if you can help in some way.
23. Forward articles that may interest them.
24. Allow them to help you.
25. Pass along useful information.
26. Buy them a book that you know they'll love.
27. Leave positive sticky notes on their computers.
28. Scout for reasons to compliment them. Shoot for three people a day.
29. Give them a "care package" when they're preparing for trial, participating in a deal closing, etc.
30. Send them greeting cards on holidays.
31. Notice and note their progress on something important to them.
32. Compliment a good presentation, high-quality meeting, contribution on a call.
33. When you open your inbox each day, make the first email you write a compliment, note of support or appreciation, or other positive jolt.
34. Sneak into their offices and leave them candy or other treats.
35. Get to know them as people, remember the details, and follow up on them.
36. Don't gossip or talk negatively about them.
37. Make them laugh.
38. Celebrate their birthdays by making them cards and a cake.
39. If they blog or publish online, read, comment, circulate, and encourage others to do the same.
40. Create a spreadsheet that includes their likes (e.g., simple things like favorite candy, favorite drink, favorite snack, etc.) and use it regularly.





41. Share credit with them.
42. Learn and use their names.
43. Start meetings by inviting them to share “what’s going well”?
44. Be their “wing man.” Find out their strengths and accomplishments and share them with others at conferences, meetings, networking events, retreats, etc.

PAY SPECIAL ATTENTION TO NEWCOMERS

Getting started as a new lawyer or even starting at a new place of work is stressful, so try to pay special attention to newcomers when doling out your acts of kindness:

- Invite them to networking events and “shepherd” them through.
- Recommend professional associations for them to join.
- Drop by their offices and say hello.
- Make introductions—to peers, staff, leaders, clients, insiders, etc.
- Invite them to attend hearings, meetings, etc. with you.
- Offer to observe them in a hearing, deposition, call, etc., and provide feedback.
- Mentor them.
- Give guidance on developing their reputation.
- Help them learn the firm’s “political” ropes.
- Praise them to higher-ups and insiders.
- Leave a “welcome” greeting card signed by everyone on the team/department/office.
- Tell them all the great reasons they were hired.
- Leave a note saying, “We’re glad you’re here!”
- Take a strengths assessment together and share

ideas about using those strengths at work.

- Discuss their goals and how you can support them.

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Psychological Capital: Build Your Mental Strength & Flexibility

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P psychological Capital (PsyCap) – the powerful combination of our resilience, optimism, hope, and confidence – helps us to keep our competitive edge while managing the stress of lawyering. Research links high levels of PsyCap with better job performance, a greater ability to overcome obstacles, higher job satisfaction, and elevated well-being (Avey, Reichard, Luthans, & Mhatre, 2011; Luthans, Youssef-Morgan, & Avolio, 2015).

PsyCap can be thought of as positive mental strength and flexibility. It can be developed by building these four mental capacities:

- **Resilience:** Being able to cope, sustain, and bounce back to attain success when challenge strikes.
- **Optimism:** Having a positive expectation about your ability to meet challenges and succeed now and in the future.
- **Hope:** Having the ambition to persevere toward goals and, when necessary, to change direction to reach goals in order to succeed.
- **Confidence (or Self-efficacy):** Having the belief you can successfully take on and put in the necessary effort to succeed at challenging tasks.

While each of these capacities individually contributes to our positive mental strength, when combined and used together they become stronger than the sum of their parts.

This worksheet will help you build each PsyCap capacity by having you work through a real-life adversity. You will identify new ways to look at your issue and challenge basic assumptions you might

have about your ability to overcome it. Then, you will take an inventory of the resources you have to help you successfully resolve the problem and use your critical thinking skills to see if you've overlooked anything. Finally, you will set a S.M.A.R.T. goal, devise multiple ways to reach it, and anticipate ways to overcome any obstacles to your success.



STEP 1:

Describe a challenging situation that is not going as well as you would like.

STEP 2:

Reflect on your mindset.

Take a minute to understand the nature of your mindset when the situation first occurred, and you initially assessed the risk. How did you respond? Were you energized and ready to rise to the challenge? Or, were you overwhelmed? Defeated? Something else?



STEP 3:

Frame the situation again in terms of its actual impact.

- A. What is the real risk? Is this risk something in or out of your control? What are your options? Is it possible your initial mindset colored your first assessment?
- B. Are there any different ways to look at the situation that will allow you more options or control over your success? [Note: if you get stuck, it can help to get a colleague's viewpoint. They might see it differently than you.]

STEP 4:

Identify helpful skills and resources. *[Note: these can include your knowledge, work ethic, legal skills, colleague networks, ideas from others, finances, creativity, past experience, and the like.]*

- A. List the skills and resources you have used to respond to the challenge.
- B. Are there other resources available you haven't considered?

STEP 5:

Set a goal that is directly related to overcoming your challenge.

- A. Write down your goal using S.M.A.R.T. criteria – Specific, Measurable, Attainable, Relevant, and Timely. [Note: pick a goal you want to achieve rather than avoid.]
- B. Break your goal into manageable small steps and list them in sequential order.

STEP 6:

Identify multiple ways to goal accomplishment.

- A. Write down all the paths you can think of that could realistically lead you to reaching your goal.
- B. For each path make a list of the skills and resources you will need.

STEP 7:

Identify and plan ways to overcome potential obstacles.

- A. List the obstacles that could get in the way of each path you identified in Step 6.
- B. List how you can deal with each of these obstacles. Are there ways around them? Be specific.

STEP 8:

Take time to visualize your success.

Set aside 10 minutes every day to think through the steps of this worksheet and visualize your success. Really get into it. See each step with as much detail as possible. Imagine using your resources to navigate the different paths toward your goal with you confidently getting around any obstacles in your way. Then, visualize yourself reaching your goal and imagine celebrating your win!

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RESOURCES

Contributed by Anne Brafford

Reading Recommendations

- Martha Knudson, [Building Attorney Resources: Helping New Lawyers Succeed Through Psychological Capital](#)
- Fred Luthans, Carolyn M. Youssef-Morgan, & Bruce J. Avolio, *Psychological Capital and Beyond*
- Martin Seligman, *Learned Optimism*
- Karen Reivich & Andrew Shatte, *The Resilience Factor*
- Shirzad Chamine, *Positive Intelligence: Why Only 20% of Teams and Individuals Achieve Their True Potential*
- Russ Harris & Steven Hayes, *The Confidence Gap: A Guide to Overcoming Fear & Self-Doubt*
- Louisa Jewell, *Wire Your Brain for Confidence: The Science of Conquering Self-Doubt*
- Katty Kay & Claire Shipman, *The Confidence Code: The Science and Art of Self-Assurance--What Women Should Know*
- Amy Cuddy, *Presence: Bringing Your Boldest Self To Your Biggest Challenges*
- Carol S. Dweck, *Mindset: The New Psychology of Success*
- Cary Cooper, Jill Flint-Taylor, & Michael Pearn, *Building Resilience for Success: A Resources for Managers and Organization*



Reframe Stress & Adversity

Contributed by: Paula Davis-Laack, JD, MAPP

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Lawyers spend years learning, and then practicing how to “think like a lawyer.” Professionally, lawyers are responsible for doing all of the due diligence in a matter, analyzing what could go wrong in a situation and steering their clients away from negative impact. That’s important when lawyers are engaged in the practice of law; however, when lawyers practice looking at issues through such a pessimistic, rigid lens 12-14 hours a day, that thinking style becomes harder to turn off when it’s not needed. Ultimately, it can undercut leadership capabilities, interactions with clients, colleagues, and family and cloud the way life is viewed generally.

This skill will help you think more flexibly about stressful situations.



STEP 1:

Think of a situation you are struggling with or frustrated about, and write it in the space below:

STEP 2: LIST...

The aspects of the situation you can control or influence:

The aspects of the situation you can’t control or need to accept:



The specific action steps you can take to make the situation better:

(Based on the work of Drs. Martin Seligman, Karen Reivich, & colleagues).

RESOURCES

Contributed by Anne Brafford

Book Recommendations

- Martin Seligman, *Learned Optimism*
- Karen Reivich & Andrew Shatte, *The Resilience Factor*
- Shirzad Chamine, *Positive Intelligence: Why Only 20% of Teams and Individuals Achieve Their True Potential*
- Kelly McGonigal, *The Upside of Stress*

Videos

- Kelly McGonigal, **How to make stress your friend** (www.TED.com)

Web Resources

- www.happify.com
- www.superbetter.com
- **Mood Gym** is a subscription-based online application created by academics to teach cognitive reframing—a key to mental health and resilience.

Smart Phone Apps

- A growing number of smart phone apps are available to teach cognitive reframing and other psychological tools to manage stress and reduce depression and anxiety. Examples include **Pacifica**, **Betterhelp**, and **Ginger.io**.



Practice Mindfulness to Boost Well-Being & Performance

Contributed by: Jon Krop, JD

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Meditation has become enormously popular, and with good reason: it's great for you. Research shows that meditation can reduce stress and anxiety [1], increase resilience and well-being [2], develop emotional intelligence [3], boost focus [4], enhance cognitive flexibility [5], and improve physical health [6].

MEDITATION: WHY & HOW

Here's one way to understand meditation: **It is the practice of learning to stay in the present moment and out of our heads.** We spend so much time wrapped up in worries, fears, plans, and memories. When we untangle ourselves from those mental stories and rest in the present moment, we discover a refreshing calm and simplicity. The simple, present-moment awareness we cultivate through meditation has a name you may have heard before: mindfulness.

Here's a simple, powerful meditation technique you can try (a [video version available here](#)):

1. Sit down: Find a comfortable seated posture that lets you maintain a straight, unsupported spine. The simplest way is to sit in a chair, with both feet on the floor and your hands on your thighs. For detailed

instructions on meditation posture, see [this video](#).

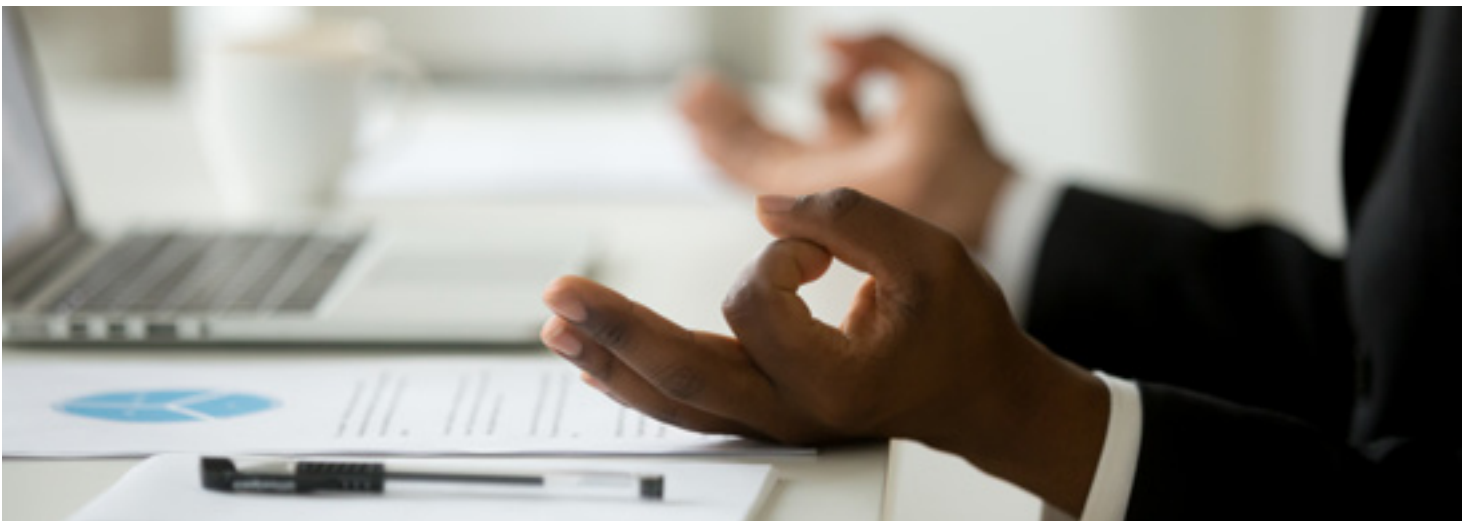
2. Find your anchor: Bring your attention to the sensation of air passing through your nostrils as you breathe. That sensation will help anchor you in the present moment.

3. Rest attention on the anchor: Rest your attention on the breath at the nostrils. Form the gentle intention simply to observe the flow of sensation at that spot. As you do this, there's no need to deliberately control your breath. If the rhythm of your breath changes on its own, that's fine.

4. When the attention wanders, notice that and return: Eventually, you'll get distracted. Not only is that okay, it's supposed to happen. Just notice that the attention has wandered and then gently escort it back to the breath at the nostrils — back to the present.

Some final thoughts on meditation:

Meditation is often soothing and enjoyable... but not always. Like most things worth doing, meditation will sometimes challenge you. It can be agitating or uncomfortable on occasion. It can even stir up





difficult thoughts, emotions, or memories. These experiences are a normal part of the process and are actually useful learning opportunities. I hope you'll embrace the challenge and growth it brings.

One last tip: **Meditating regularly is more important than sitting for a long time.** Even a few minutes a day can bring real benefits. The Tibetan meditation masters say, "Short sessions, many times."

MINDFULNESS & ANXIETY

Anxiety isn't fun, but it's totally normal — everyone experiences it. Luckily, there are simple ways to work with anxiety so that it's less of a problem. To use these strategies effectively, it's helpful first to understand how anxiety arises and grows.

The root of anxiety is avoidance. We feed anxiety whenever we avoid uncomfortable feelings, thoughts, and situations [7]. Because anxiety is itself uncomfortable, we avoid it when it appears, which makes the anxiety worse, which triggers more avoidance, and so on. It's a vicious circle.

However, there's good news: avoidance is a reflex we can unlearn. Through mindfulness practice, we can experience discomfort without fighting or flinching away. In doing so, we deprive anxiety of its fuel source.

Here are some mindfulness practices that can help when you're feeling anxious:

THE MINDFUL PAUSE

This technique takes about 30 seconds. You can do it sitting, standing, or lying down. Your eyes can be open or closed. The practice is quick and discreet, so you can do it almost anywhere. It has four steps:

[\(Video version available here.\)](#)

1. Take a deep breath.

Take a slow inhale and exhale. Fill your lungs all the way, but really take your time doing it.

2. Turn toward your body.

Turn your attention toward the sensations in your body. Whatever comes up, just notice it: warmth, pressure, itching, tickling, aching, etc. There's no need to evaluate the sensations as "good" or "bad." Itching is just itching. Coolness is just coolness.

If you notice sensations that seem related to anxiety, those are particularly good to turn toward. You're developing the skill of observing those sensations without resisting, condemning, or judging them.

This step can be as quick as one in-breath or out-breath.

3. Rest your attention on your breath.

Pay attention to the sensation of air passing through your nostrils as you breathe. This is the same technique as the meditation practice we explored earlier.

Just like the previous step, this step needn't take longer than one in-breath or one out-breath.

4. Carry on with your life!

The last step of the mindful pause is simply to re-engage with the world, without hurry. Don't lunge for your phone or speed off to your next activity. Move at a leisurely pace.

FLOATING NOTING

Like the Mindful Pause, floating noting works by helping you turn toward your present-moment experience instead of avoiding it. However, it's a bit more comprehensive and less bite-sized. Once again, you don't need to adopt a special posture or even find a quiet place. Here's how you do it:

[\(Video version available here.\)](#)

- **Let your attention float freely.** As your attention drifts, various sights, sounds, sensations, and thoughts may grab your attention and take center stage in your awareness.



- As this happens, just **(1) notice whatever stands out in awareness and (2) give it a light mental label.**
- **To keep the labeling simple, we'll use categories:** “seeing” for sights, “hearing” for sounds, “feeling” for physical sensations, and “thinking” for anything that arises in the mind.
- **As new objects arise in awareness, just continue noting whatever is most prominent.**

Let's say the sound of a passing car draws your attention. You just label the experience “hearing.” Then a thought arises — maybe something about a client matter you're working on. Instead of getting caught up in the thought, you label it “thinking.” The thought then triggers a hollow sensation in your stomach, which you label “feeling.”

Even difficult experiences become less overwhelming when you break them down in this way. An anxious sensation or a worried thought is less of a problem when you just notice it, label it, and move on.

Here are a few practice tips:

- Find a nice, steady rhythm for your noting. Personally, I find that noting once every couple of seconds feels good. I advise against noting more quickly than that. Fast noting can produce unpleasant side effects and is best done under a teacher's supervision.
- If you're somewhere private, you can note out loud. It helps you stay focused and present. It can even bring you into a pleasant sort of “flow state.”
- If the same object stands out in your awareness for a while, just keep noting it: “hearing... hearing... hearing...”
- If multiple objects stand out at once, and you don't know which one to label, just pick one.
- If you have no idea what to label in a given moment, you can just notice that uncertainty and label it “don't know.”



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RESOURCES

Contributed by Anne Brafford

Book Recommendations

- Jeena Cho & Karen Gifford: *The Anxious Lawyer: An 8-Week Guide to a Happier, Saner Law Practice Using Meditation*
- Rick Hanson, *Buddha's Brain*
- Daniel Goleman & Richard Davidson, *Altered Traits: Science Reveals How Meditation Changes Your Mind, Brain, & Body*
- Cal Newport: *Deep Work*

Videos

- Andy Puddicombe, **All It Takes Is 10 Mindful Minutes** (www.TED.com)

Web Resources

- Mindfulness-Based Stress Reduction (MBSR) is a well-established, meditation-based stress management program developed by Prof. Jon Kabat Zinn. MBSR resources are widely-available and some can be found [here](#).

Smart Phone Apps

- Headspace: Among the most popular meditation apps.
- 10% Happier: **Meditation for Fidgety Skeptics**. A popular meditation app.



The Emotionally Intelligent Path To Well-Being

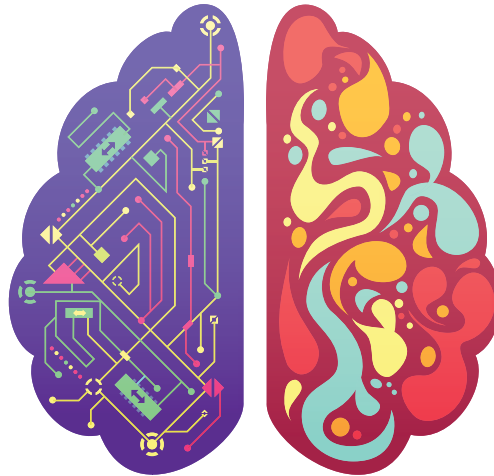
Contributed by Ronda Muir, JD

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RAISING AWARENESS OF EMOTIONS

A lack of awareness of emotions (our own and others') is on average the greatest emotional intelligence (EI) deficit in lawyers. Emotional awareness gives us the data we need to spot and then solve emotional problems which if unaddressed can sabotage our productivity and our mental and physical health.

Here are some suggestions aimed at helping us gain greater awareness of emotions. Remember that changing an old habit or establishing a new one usually takes at least three weeks of hard work, and sometimes longer, so don't despair if you don't see immediate results. Persistence will pay off.



1. Take an EI Assessment. A number of EI assessments can give you good information about your personal strengths and challenges. The major ones, such as the MSCEIT, EQi 2.0, and ECSI, take approximately 40 minutes to complete, charge a fee, and often include professional feedback to help you understand your results. While there are plenty of free assessments, and some may give you some useful information, for the most part they are not reliable indicators of your emotional intelligence.

2. Profit from Performance and Client Reviews.

These are ideal venues to better understand how well others think you handle your own emotions and how well you read others' emotional cues. Remember that perception is reality. Regardless of your intentions, if others are misunderstanding your reactions or you are misunderstanding theirs, it's time for a concerted

effort at raising your emotional awareness by following some of these suggestions.

3. Chart Your Emotions. The Yale Center for Emotional Intelligence recommends making a chart on a regular basis of how you feel. The [Yale Mood Meter app](#)--which features a four-quadrant chart with two axes: energy and pleasantness--can be downloaded to easily record your feelings.

You can set your phone to alarm on whatever schedule you prefer--every hour, every meal, or once or twice a day--and record where in the four quadrants your mood at that moment fits, creating a visual map of your moods for that day, week, and month. The point is not to change or like your moods, but to faithfully become aware of what you feel on those two dimensions.

4. Build Your Emotional Vocabulary. As you check in with your emotions, try to be more specific about what you're feeling so you can build a more extensive vocabulary. After placing the emotion within one of the four quadrants mentioned above, then identify its degree of intensity--slight to severe, and give that feeling a more nuanced name, like melancholy or annoyance instead of sadness, contentment or joy instead of pleasantness.

5. Pay Attention to Your Body. Paying attention to your body goes hand-in-hand with building your vocabulary. Identifying the physical sensations that go along with whatever you are feeling can help distinguish emotions. Are you hot or cold, tense or relaxed? Do you have sensations in your head or your chest? As an example, you might recognize



that “This feels disturbing, a little hot and makes me feel somewhat aggressive and energized but doesn’t make me lose control. This might be the feeling of frustration.”

6. Get a Coach, Mentor or EI Buddy. Coaching and mentoring are two reliable, institutional, and interactive methods that legal workplaces often employ that can help raise your emotional awareness, and which you can arrange even if your firm or department doesn’t offer them.

Even if you don’t have access to, or the time/money/patience for, a mentoring or coaching relationship, find a “high EI buddy”—preferably someone who knows your workplace and/or the players involved or works in a similar environment and whose interpersonal skills you admire—to see if he or she agrees on your take on your own emotions or your reading of others’ emotional cues. The person could be your spouse, your relative, a friend, or a colleague. Ideally, this is someone who often sees things differently than you do and also seems to move in and out of difficult situations with aplomb. Describe a situation and ask for his or her assessment of what the various players’ body language, words and tones might mean, and how best to proceed.

7. Practice Mindfulness. Practicing mindfulness allows us to make enough room mentally to detach from our emotions long enough to identify them. It also gives us a short “vacation” from the stress of emotional turmoil so we can hopefully view our emotional landscape from a refreshed vantage point.

8. Try a Screen Vacation. Research indicates that putting away the devices for even a few days and interacting socially with others can significantly raise your emotional perception skills.

LEARNING TO REGISTER OTHERS’ EMOTIONS

Although all the above suggestions can help fine-tune your awareness of others’ emotions as well as your own, these suggestions specifically help to more accurately read others’ emotional cues.

1. Ask. Here’s a low-tech suggestion: if you’re not sure what emotion another person is experiencing, ask! You can say “it looks like you are [insert emotion here—angry, pleased, defiant, etc.]; is that correct?” or you can simply ask what/how he or she is feeling.

2. Train Yourself. Paul Ekman found we can improve our ability to recognize other’s emotions by systematically studying facial expressions and has produced a number of [training programs](#) to help train how to read various facial cues in different settings.

3. Take the Silent Route. Watching movies on mute (a good way to spend time on an airplane) is an excellent method to build your emotion reading skills. Try to understand the action by the facial expressions and body language—you can turn on the sound periodically to verify or redirect your take.

4. Mimic Facial Expressions. Our mirror neurons can convey to us the feelings of someone else by our replicating their outward expressions. If contorting your face in a meeting is a no-go, at least think consciously about their specific expressions in trying to understand what they feel.

5. Play A Videogame. The GSL Studios game [Crystals of Kaydor](#) could help your child or the child in you develop skill in reading nonverbal emotional cues. In it, an advanced robot that crash lands on an alien planet helps the natives solve problems by interpreting their body language and nonverbal cues.

RAISING EMOTIONAL MANAGEMENT

Learning to recognize emotional signals will give you a major leg up in the emotional management trenches, where most problem solving resides. Once you register the emotions at play, you don’t want to automatically default to old emotional regulation strategies—like suppression and rumination, which are common to lawyers—that are not constructive and can even be counterproductive.

Here are some suggestions to improve how you manage your emotions.



1. Take a Deep Breath. Daniel Goleman heralds the importance of signaling a slowdown to your brain and your body by taking a deep oxygen-filled breath before taking any important actions.

2. Accept Your Thoughts and Emotions.

Acceptance does not mean resigning yourself to negativity but responding to your emotions with an open attitude—letting yourself experience them without jumping to behavioral conclusions, a danger for those of us high in a sense of urgency. This acceptance can bring relief, but it won't necessarily make you feel good. In fact, you may realize just how upset you really are. It is still a good place to start in order to achieve better emotional and behavioral management.

3. Count Yourself Down. It's true what your mother said—sometimes simply counting to ten works well to clear your mind for a better emotional response. It allows time for the rational brain to engage and survey the situation. Consciously asking questions or attempting to analyze the problem can also delay and help redirect a habitual emotional response to a more rationally engaged one.

4. Walk It Off. Taking a walk outdoors has been demonstrated to improve mental functioning and positive well-being, and is a particularly good antidote to brooding, rumination, and depression. But the walk has to be outside in a natural setting, not on asphalt in an urban setting.

5. Change Your Self-Talk. How we talk to ourselves can also help us manage our emotions. Telling ourselves repetitively our angry aggravations or negative predictions will not help us make good emotional management decisions. Reframing our internal dialogue away from entrenched pessimism is a way to build a new response. Get in the habit of marshaling credible counterarguments against that internal voice predicting doom and gloom and blaming it all on you.

6. Practice Mindfulness Meditation. In addition to helping us identify our emotions, practicing

mindfulness allows us to learn how to slow ourselves down from automatically reacting and give ourselves time to choose better responses.

7. Download a Game or an App. The GLS Studios game [Tenacity](#) focuses on learning self-regulation by maintaining attention and calm when serene scenes are bombarded with various distractions—a plane flying by, animals running past. Stanford University's Calming Technology Lab is developing devices that help you respond to strong emotions, such as a belt that can detect breathing and connects to an app that helps calm you when you're feeling emotionally out of control.



LEGAL EMPLOYERS' CHECKLIST FOR RAISING EMOTIONAL INTELLIGENCE

- ☒ **Include emotional intelligence (EI) assessments either before or after hiring.** These can be full blown EI assessments or, what is more likely at least in applications, questions that can elicit an applicant's EI skills, like the questions Dartmouth College's Tufts School of Business has added to its applications and recommendations asking about a student's ability to interact well with others in challenging circumstances. Assessments given after hiring can help guide young lawyers to their most



successful position and give them a base against which to measure improvements.

- ☑ **Offer well-educated mentors, coaches and/or confidential counselors.** To achieve their best performance, lawyers need to be keenly aware of how they come off to their clients and colleagues and also how to handle professional challenges. Well-educated mentors and/or professional coaches and counselors who have the confidence of their charges, can listen well and can give honest but sensitive and confidential advice will make valuable improvements in your organization's performance.
- ☑ **Provide EI development as part of your professional development programs.** Emotional intelligence is unquestionably trainable, and lawyers--in a highly personal service industry where they regularly face severe stress--can benefit from better understanding their own and others' emotions. That understanding will improve their client service skills and their personal functioning.
- ☑ **Add specific EI-related features to performance reviews.** Including discussions in performance reviews of collegiality, collaboration and teamwork helps spotlight their importance and promotes developing those skills.
- ☑ **Reward EI skills.** Show that you go beyond simple lip service to valuing EI skills by giving recognition, promotions and bonuses to high achievers.

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Take Charge of Your Well-Being With Confidence

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Is there something in your life you would really like to do next, but you are not feeling confident about it, so you avoid it? Do you have something coming up in your life that you are anxious about, and you want to raise your level of confidence about it? Next time you are feeling particularly low in confidence about something you need to undertake, ask yourself these questions. (Or ask a trusted colleague to ask you them.) These questions are helpful when helping others boost their confidence too.

First, recall a time when you were successful at doing that particular thing in the past (or doing something similar). Then ask yourself: What was key to my success? What did I do then that made me successful? How did I manage to do that? What is one thing I did then that I am not doing now?

1. Considering what I am embarking on now, what is already going well? What small successes have I had so far?
2. How can I do more of what is already going well?
3. How have I managed to get this far?
4. What does that tell me about myself?
5. What have I done in the past that might help me now?
6. What personal qualities and strengths do I have that will help me be successful?
7. What ideas do I have for solving this?
8. Who can help me with this?
9. Who would have a different perspective on this?

Take some time with these questions and try to recall your past experiences. When you realize you have done this same endeavor successfully in the

Excerpt from [*Wire Your Brain for Confidence: The Science of Conquering Self-Doubt*](#)

past, you will quickly shift into believing you can do it again. If you haven't done exactly the same thing, contemplate similar parts of the experience that you mastered in the past. (For example, many years ago, I was asked to deliver my first ever keynote address. I had already delivered numerous workshops, but never a keynote. I was not feeling confident about it.



After asking myself the questions above, I realized that I had actually mastered many keynote skills in all my years of workshop delivery. Taking the leap to keynote deliveries no longer seemed as daunting. I worked on the gaps to improve my skills and my confidence shot up again.)

The other questions also get you thinking about the progress you have already made with this accomplishment, rather than your shortcomings. This gets you thinking about everything that is already working in your favor, and you will experience a boost in confidence. Once you have asked yourself the questions above and are feeling a shift in your confidence, ask yourself this important question: What is one small step I can take to get myself closer to my goal? Commit to taking that step.



Use Your Strengths

Contributed by: Anne Brafford, JD, MAPP, PhD in Progress
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To get started on this activity, you'll first need to identify your strengths by taking the values in action [\(VIA\) Survey](#). The VIA Survey measures 24 character strengths. The results are simply a rank order of your own strengths. Your results are not compared to others. Also, the survey doesn't measure which strengths you value the most; it measures the strengths that you report as most often showing up in your actions and thoughts. It's an effective way to identify your own strengths, which you then can use to spur your thinking about how to use those strengths more and in new ways to improve your and others' happiness.

The VIA is based on the VIA Classification, which resulted from an extensive 3-year research project. Researchers explored the best thinking from all over the world on virtue and positive human qualities in philosophy, virtue ethics, moral education, psychology, and theology over the past 2500 years.

VIA CLASSIFICATIONS

Six core themes emerged, which were found across religions, cultures, nations, and belief systems. These "virtues" were subdivided into 24 universal character strengths:

Wisdom: Creativity, curiosity, judgment/open-mindedness, love of learning, & perspective

Courage: Bravery, perseverance, honesty

Justice: Teamwork, fairness, & leadership

Humanity: Love, kindness, & social intelligence

Temperance: Forgiveness, humility, prudence, & self-regulation

Transcendence: Appreciation of beauty & excellence, gratitude, hope, humor, spirituality, & zest

Character strengths are stable, universal personality traits that show themselves in how you think, feel, and behave. They are considered to be the basic building blocks of human flourishing. They are not fixed; they can be developed. Most people likely can enhance their capacity for expressing each of the 24 character strengths.

"Signature strengths" are your top character strengths that really resonate with you and feel like they are at the core of who you are (Peterson, 2006).



INTERPRETING THE VIA REPORT

- The VIA report is about your strengths. It doesn't measure weaknesses or problems. So, lower strengths still are strengths.
- The VIA Survey measures your view of yourself, not facts about your character. The results are broad brushstrokes. So don't sweat the details.

WHY USE YOUR SIGNATURE STRENGTHS?

Studies show that using your signature strengths more or in new ways can improve well-being.

- Regularly using strengths is linked to work satisfaction and engagement at work, lower turnover, greater psychological well-being, less stress, goal achievement, and lower depression levels as much as 6 months after participating



in a strengths-based exercise (Biswas-Diener, Kashdan, & Gorpall, 2012).

- Two of the most important predictors of employee retention and satisfaction are: Reporting use of your top strengths at work and that your immediate supervisor recognizes your top strengths.
- Character strengths buffer people from the negative effects of vulnerabilities (e.g., perfectionism and need for approval) and play an important role in depression recovery.
- As you learn more about your 24 strengths, you can begin to develop your competence in using them all in the right proportion that each situation calls for. This can improve your interpersonal effectiveness and other aspects of personal performance and sense of well-being (Biswas-Diener, Kashdan, & Gorpall, 2012).

PUT YOUR STRENGTHS INTO ACTION

Now that you've identified your character strengths and know why it's valuable to use them, it's time to put them into action...

Think of a specific time when you were at your best—when you really were feeling and behaving at a high level and you felt that you were being your authentic self. Describe that time.

LIST YOUR TOP STRENGTHS

Now, list your top strength from your VIA survey report.

Strength 1:

Strength 2:

Strength 3:

Strength 4:

Strength 5:

Strength 6:

Strength 7:

IDENTIFY YOUR SIGNATURE STRENGTHS

Next, you'll identify your signature strengths, which are strengths that you easily recognize in yourself, regularly exercise, and celebrate. You feel that they describe the "real me." You have a rapid learning curve and feel joy and enthusiasm when using them (Peterson & Seligman, 2004; Seligman, 2011).

- Review your top VIA strengths and ask the following questions:
- Is this strength the real, authentic you? Does it come naturally to you? Is it easy for you to express?
- Do you feel more energized when you're using this strength?
- Would your family and friends be quick to identify this strength in you?
- Do you use this strength frequently at home, at work, and in your social life?
- What character strengths have you used in your past and current successes?

When you're happiest, what strengths are you using?

REFLECTING ON YOUR STRENGTHS

- What was your initial reaction to your survey results?
- Did anything from your survey results surprise you? If so, why?
- What strengths can you identify in the story of you at your best?
- Which one of your signature strengths seems most evident in your every-day life right now?
- What are examples of how you use that strength now?



USING YOUR SIGNATURE STRENGTHS

Our work doesn't end with identifying our strengths. Having strengths and values in the abstract is not enough to flourish. What we do makes the difference (Peterson, 2006). According to Seligman (2002) and Peterson (2006), the regular use of signature strengths—especially in service to others—cultivates well-being.

A good place to start is with a well-tested exercise in which you pick a signature strength and, for the next week, use it in a new way every day (Peterson, 2006; Seligman & Peterson, 2005).

The strengths of hope, zest, gratitude, curiosity, and love, have the strongest link to life satisfaction (Park, Peterson, & Seligman, 2004). So you might consider them as top targets if they are among your signature strengths.

For ideas on activities that incorporate your signature strengths, take the Person-Activity Fit Diagnostic test developed by Sonja Lyubomirsky (2008). You'll likely find that such activities improve your well-being through engagement.

THREE WAYS TO USE YOUR STRENGTHS

What are three ways in which you can use your signature strength more or in a new way in the next three weeks to help you progress toward something important to you? For ideas, review [340 Ways to Use VIA Character Strengths](#) (Rashid & Anjum, 2008),

1.

2.

3.

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Investigating & Capitalizing on Our Introverted Strengths

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“To be yourself in a world that is constantly trying to make you something else is the greatest accomplishment.” -- Ralph Waldo Emerson

Introverts and otherwise quiet advocates are well-poised to play an influential role in the legal profession through their inherent capacities for active listening, analytical thinking, thoughtful writing, empathy, and creative problem-solving (See [The Introverted Lawyer: A Seven-Step Journey Toward Authentically Empowered Advocacy](#), ABA 2017).

If you are a naturally quiet lawyer, this activity can help identify your natural gifts. With enhanced self-awareness, instead of trying to force extroversion to fit the “stereotypical gregarious lawyer” mold in our day-to-day lives, we can capitalize on our inherent strengths in being authentically empowered advocates.

- **Listening:** Are you a good listener? How do you listen? How do you physically position yourself? Where do you focus your attention? Do you maintain eye contact? How do you demonstrate to the speaker that you are listening?



- **Data-gathering:** Are you a good note-taker? How do you capture the thoughts of others, and your own thoughts, while others are speaking?
- **Perceiving:** Do you consider yourself a perceptive person? Do you notice details that your extroverted friends miss? Sights? Street signs? Landmarks? Facial expressions? Smells? Tastes? Patterns? Textures? Sounds?
- **Researching:** When you’re researching something or trying to figure out a problem, do you dig deep? If you can’t easily find an answer, are you comfortable changing tactics and trying new research angles or sources?
- **Creative thinking:** Do you consider yourself a creative person? This does not necessarily mean artistic, but instead, being innovative in your thinking. Do you come up with interesting or even wild ideas for solving problems?
- **Deep thinking:** Are you a deep thinker? Do you find yourself wrestling with problems or concepts to figure them out?
- **Writing:** Do you enjoy writing? What type of writing? It doesn’t have to be legal writing. Think about what genres of writing you enjoy: Text messaging? Creative Facebook posting? Emails? Poems? Songs? Letters?
- **Choosy speech:** Are you a person of few words? Do you like finding the right word to express a thought? Do you think about how to phrase your ideas before relaying them aloud? When you speak, are people sometimes surprised at how good your ideas are?



- **Negotiating:** When you negotiate, do you prefer a win-win effort, or a winner-takes-all competition?
- **Tolerating silence:** Are you comfortable with silence? Why or why not? With whom?
- **Modeling empathy:** Do you consider yourself an empathetic person? Are you able to listen to another person describe his or her experiences and understand that person's reactions, feelings, perceptions, and choices—even if they are different from your own? How do you convey to others that you understand their feelings or emotions?

Now, try to recall specific situations in which any of the foregoing inherent traits were beneficial in solving a problem, resolving a conflict, achieving progress in a stalled situation, or counseling another person through a difficult circumstance.

Trait:	Scenario:
Trait:	Scenario:
Trait:	Scenario:

As introverts, many of us feel pressure to try to “act extroverted,” when in reality, it is our introverted assets that make us authentically powerful legal advocates. Next time you are in an interactive lawyering scenario, consider how your introverted strengths can power you through the experience in an authentic and fulfilling manner.

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Overcoming Public Speaking Anxiety & Amplifying Our Authentic Lawyer Voices

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Many lawyers experience public speaking anxiety, even though the stereotypical gregarious advocate seems to be born with the gift of gab. Instead of getting down on ourselves when we experience public speaking anxiety, or forcing ourselves to “just do it,” we can tap into our authentically empowered voices through a bit of mental and physical reflection, and then a reframed mental and physical action plan. Try this activity to amplify your advocacy voice in an authentic manner. No “faking it till we make it!” Let’s be our genuine impactful selves.



1. ENVISION THE SCENE

First, envision an interpersonal interaction, a command performance, or a public speaking scenario in the legal context. Let’s be specific: Is it a courtroom scenario? A law office interaction? A meeting with opposing counsel? A conference call? A negotiation? An argument or speech?

2. MENTAL REFLECTION

For some of us, when we anticipate nerve-racking performance scenarios, we hear negative mental messages that can rattle us, but often we don’t know what to do with this information. In this activity, let’s listen and transcribe, so we can eventually delete the negative and re-craft some positive personal slogans.

First, what mental messages do you hear when you anticipate the lawyering scenario? What are the exact words, language, or phrases you hear? Write them down. How do those words, language, or phrases

make you feel? Agitated, annoyed, nervous, angry, numb? Now, try to think back to events in your past when you experienced similar feelings and heard

comparable language. Who was there? What was happening? What were their exact words, language, or phrases? Make a list of those past messages and their sources.

Now think about how much time has passed since you originally received those messages. Do any of these past messages have any

relevance to your present life in the law? Can you view the original messengers in a different light, perhaps with compassion, and realize their words might have come from a place of their own fear, but have no relevance to your legal persona now? If you can, label the messages as no longer useful, and name the original sources as no longer relevant or influential in your legal persona.

3. PHYSICAL REFLECTION

Next, catalogue your body’s physical responses when anticipating the performance-oriented event. Try to notice both subtle and obvious changes in your body and record each one, as if someone is snapping photographs of each new physical response the instant it appears.

What part of your body do you feel or sense first? When you first felt the emotional kick of stress or anxiety toward the interpersonal exchange, did your physical body shift in any way? Were you sitting or standing? Did you subconsciously cross your legs? Fold your arms? Hunch or crouch lower?



Grit your teeth? Clench your fists? Grip an object? Avert eye contact? Did you feel anything different internally? Did you gulp, take a deep breath, or lose your breath? Is your heart beating faster? Does your stomach hurt? Does your head ache? Are you noticing any external clues? Are your hands or knees shaking? Are you blushing? Sweating? Do you feel hot? Cold? Numb? When/if you speak, does your voice sound different? Is your voice shaking? Is it higher or lower pitched than usual? Are you swallowing more? Or less? What else do you physically feel or notice?

4. MENTAL ACTION

Now that you have reflected on messages from the past that re-appear in the face of a future performance-oriented event, contemplate a list of new personal taglines that can help you recalibrate and take control of your thoughts. Consider these prompts:

- **I feel strongest and most like a rockstar when:** _____.

[Note: This could be weightlifting at the gym, playing the guitar, cooking, running, painting a picture, rehabilitating an abused pit bull, whatever. Be specific with the details. The point is to identify an environment in your life where you feel almost invincible. We want to bring some of that swagger into the legal context.]

- **I am really good at:** _____.

[Note: This can be completely unrelated to law. Again, we are trying to identify aspects of ourselves that showcase our strengths. Then, we bring some of that swagger into the legal context.]

- **I feel really smart when I:** _____.
- **I feel really physically capable when I:** _____.

- **People seem surprised when I:** _____.
- **My best day was when I:** _____.
- **My ideal day is when I:** _____.
- **People listen to me when I talk about:** _____.
- **I bring something different to the table because I:** _____.
- **I am not afraid to speak to others when:** _____.

5. CREATE 10 POSITIVE SLOGANS

Now that you have reflected on the scenarios in your life in which you feel most powerful, write out at least 10 positive personal slogans. If you need a prompt, or are not sure how to phrase them, try these:

- I am a _____ person.
- I bring _____ to the table.
- I care about _____.
- I deserve to be treated _____.
- Perfection is boring; be _____.
- Who cares if people can see [insert your least favorite visible physical response to stress]; I will keep talking and it will go away.
- Who cares if I don't express myself perfectly; it is more important in this moment for me to be _____.
- Not everyone needs to like me; _____ likes me.
- This doesn't have to go perfectly; my goal is to get through the experience, while doing the best I can while I am learning, and reminding myself that _____.



- I do not need to be perfect at this; this is just practice in _____.

6. PHYSICAL ACTION

Armed with new information about how your body instinctively responds to anxiety toward a public speaking event, consider subtle changes to your physical stance and movement that can help channel your energy, blood, and oxygen flow in a productive manner. How about these:

- **Stance and Posture:** Do you have a favorite athlete? How does he or she stand when preparing to move? Most athletes stand in a balanced, open stance. Consider watching a helpful [TED Talk by Professor Amy Cuddy](#) about “power poses” —standing in a powerful pose for a few minutes before a performance event.
- **Breath:** Practice breathing to slow your heart rate.
- **Appendages:** Open your arms and hands; let that excess energy jump out of you, or direct it into a podium or desk.
- **Eye Contact:** Practice channeling excess energy out of you by projecting eye contact to various individuals around the room.
- **Voice Projection:** Practice channeling excess



energy out of you by projecting your voice to the person furthest away from where you sit or stand.

- **Blushing or Sweating:** For some of us, blushing or sweating are normal bodily reactions to anxiety. Because we cannot change this instinctive reaction, we instead can embrace it. As author Erika Hillard says, “[t]o see a blush is to celebrate life’s living . . . fullness, ripeness, color, and flourishing life.” Let’s also make ourselves as physically comfortable as possible; we can wear clothing that helps us breathe!

7. PRACTICE

Identify one low-stakes performance-oriented event in the lawyering context, to practice your new Mental and Physical Action Plans. It could be a team meeting, a one-on-one meeting with a supervisor, or a phone call with opposing counsel.

8. DEVELOP A PRE-GAME & GAME-DAY STRATEGY

Brain Pre-Game: What substantive preparation is necessary for your first exposure event?

Body Pre-Game: Can you visit the exposure event location? Will you be sitting or standing? Where? What adjustments can you make to your physical stance and comportment to channel your energy, oxygen, and blood flow in a constructive manner?

Mind Pre-Game:

- Have you written out and reread your new positive personal taglines?
- What can you do the night before the event to minimize anxiety?
- What will you do the morning of the event to minimize anxiety?
- What will you do a half hour before the event?
- What will you do right before you enter the room?
- Visualize the exposure event space. Imagine your



entry into the room, and the chronological steps leading up to the moment you begin speaking. Anticipate the potential influx of the negative thoughts and physical responses. Rehearse halting the negative soundtrack and replacing it with your positive mental taglines. Envision physically adjusting your stance, enhancing blood, oxygen, and energy flow.

9. APPLY YOUR LEARNING

- Step into the event with your new Mental and Physical Action Plans:
- Consider doing a “power pose” for a few minutes before the event
- Remind yourself that the natural mental and physical manifestations of anxiety will naturally re-appear...but we have a plan now!
- When the usual negative mental messages re-appear, apply the fire-drill mantra of “stop, drop, and roll”: Stop for a moment; greet the messages; remember that they are no longer relevant now in your lawyering life; remind yourself of your NEW mental messages;
- When the usual physical manifestations of anxiety re-appear: Stop for a moment; breathe deeply; adopt a balanced athlete’s stance (seated or standing); send excess energy out of you and into a podium or desk or into the air; make eye contact; project your voice; remember that, for some of us, blushing or sweating is just life surging through us!

10. TAKE TIME TO REFLECT

After the event, reflect. What worked great? What techniques could use adjustments for next time?

11. CELEBRATE!

Congratulate yourself for an amazing effort!

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Mind Your Marriage (& Similar Relationships)

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As Esther Perel, noted psychotherapist, author and TED speaker says, “The quality of our relationships determines the quality of our lives,” so it’s about time to start talking about attorneys and their marriages and partnered-relationships. Too often these most important relationships get sacrificed or pushed to the edge of life while you are busy showing up 100% at work. It doesn’t seem right that your clients and your firm and your practice group gets the best of you, while your spouse/partner and your family gets whatever is left over, essentially “the scraps.”



So, what can you do about it? Start by being more intentional about the time you do have in these relationships. Don’t spend date nights going to see a movie, where although you’re both entertained, there is no further emotional connection being formed, no conversation whatsoever. Of course that’s okay every once and a while, but if you’re like most couples who only have date nights once a month, it’s important not to squander that time.

Be intentional. That means two things. One, put those date nights on your calendar. Ideally, every week, your relationship should have time put aside to grow

together as a couple. Two, in advance, think about how you want to show up for the date — energized? tired? another thing “to do?” excited? curious? — and then do that.

The following lists contains fun date night ideas, together with fun questions and conversation starters. The key is to have fun. Don’t make date night an evening to talk about “all the things” in your relationship that need attention — kids, money, etc.. Schedule that for another time and place, and keep it out of the date night time. Date nights are for the two of you and for your relationship together. Your relationship together is the “glue” for everything else in your life. When your relationship is in a good place, everything else flows so much better, including your work.

FUN DATE NIGHT IDEAS (THAT DON’T INVOLVE ALCOHOL):

- Cooking Class
- Hiking
- Art Gallery Walk
- Comedy Club
- Zip-Lining
- Live Theater
- Kayaking
- Live Music
- Bowling
- Blankets and Star-Gazing
- Late Night at the Museum
- Long Walks
- Rock Climbing
- Trampoline Park
- Hotel Room
- Dance Lessons
- Arcade



- Coffee Shop and Board Games
- Any Festival
- Driving Range
- Mini-Golf
- Biking
- Random Open House Tours
- Painting Class
- Ice Skating
- Couples Massage
- Indoor Sky Diving

FUN CONVERSATION STARTERS:

- Ask Each Other [36 Questions](#) on the Way To Love
- Download Gottman Card Decks (a smart phone app) and ask each other questions.

GO HOME AND HAVE SEX

Needs no further explanation. Your physical relationship is an integral part of your marriage/partner relationship. When a couple isn't having sex or not having sex as frequently as they once did, it's often the sign of an emotional disconnect between the partners. Rather than ignoring the distance and watching it grow across time, work to get closer. Utilize the ideas above. And sometimes, you simply need to have sex, so that you remember why you like having sex to begin with. Sex begets sex. This is good for your physical relationship, for your emotional relationship together, and for your own release of hormones and stress-relief.

RESOURCES

Book Recommendations

- John Gottman, The Seven Principles For Making Marriage Work.
- Gary Chapman, The 5 Love Languages.
- Harville Hendrix, Getting the Love You Want.
- Amir Levine, Attached: The New Science of Adult Attachment.
- Marshall Rosenberg, Non-Violent Communication.
- Byron Katie, Loving What Is.
- Kerry Patterson, Crucial Conversations.
- Esther Perel, Mating in Captivity.
- Laura Vanderkam, Off The Clock.

Apps For Your Phone

- Gottman Card Decks (Love Maps, Questions/Conversations, Resources)
- 36 Questions To Fall In Love
- Danielle LaPorte's "Conversations"

Podcasts to Listen To

- Where Should We Begin (Esther Perel)
- Rise Together Podcast
- Marriage Therapy Radio
- Relationship Advice
- The Loveumentary

Follow on IG and FB

- @gottmaninstitute
- @estherperelofficialbetter

Email Newsletters

- The Marriage Minute
- Five Love Languages



Managers, Don't Forget Your Own Well-Being

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Studies have shown that the demands and stress of legal practice take a toll on many lawyers' mental and physical health (Krill, Johnson, & Albert 2016). For many lawyers the additional demands of being in a management position exacerbate those stresses. As other activities in this toolkit demonstrate, lawyers can build resilience and minimize the risk of burnout by developing healthy personal habits, good work-life integration, and competence in handling interpersonal conflicts.

But even managers who are genuinely concerned about the wellbeing of their firm members may overlook or underestimate the importance of looking out for their own physical and mental health. As a firm leader your wellbeing is important not only to you but to everyone else. If you're sidelined by physical or mental health problems, firm members who depend on you for guidance and leadership may suffer as well, not to mention the impact your problems may have on your clients.

In many respects, your health and wellbeing is more important than that of other firm members. As a manager and leader, you need to set an example for others by modeling behaviors that promote wellbeing. Credibility suffers and cynicism grows when leaders don't walk their talk and follow their own advice. How likely would you be to follow health advice from an obese doctor who smokes and drinks excessively?

At this point it should be rather obvious that whether you're a manager or not, you need to pay attention to your own wellbeing. But you may well be asking yourself, "How on earth am I going to do that with the increased time pressures of being a manager?" It's a great question and a real quandary. And though it may at first seem a bit counterintuitive, follow the advice of Dirty Harry Callahan from the classic movie *Magnum Force*—"know your limitations!"

Your limitation is simply that you are but one person. No matter how smart, talented, and energetic you may be—you are still one person with a finite amount of time in which to get everything done. Working harder and faster will only take you so far, and working longer hours may be an obstacle to your wellbeing. So what can you do to resolve this common leadership dilemma? By all means do the first activity listed below and then you will be ready to try one or more of the following ones.



PRACTICES TO PROMOTE FIRM MANAGERS' WELL-BEING

1. Don't Go It Alone! Your first activity may be the least visible but it's the most important. Schedule an hour or two when you know you will have a minimum of interruptions or distractions. It can be time in or outside of your office as long as you can do a big-think and deep-think. You will ask yourself and hopefully answer four questions:



- What support do I need as the manager of my firm (or practice area head, or legal department head)?
- Who within the firm can provide me with that support?
- Who outside of the firm can provide me with support?
- How do I feel about asking for that support?

Don't skip the last question! If you're like a lot of lawyers, you may be hesitant to acknowledge you need support, let alone to ask for it. When compared to the general population, lawyers are far more autonomous and achievement oriented. These personality traits lead many to assume that they should, without additional training or support, be able to handle leadership and management responsibilities on their own. They worry that their peers and firm members will perceive a request for support as a sign of (gasp) weakness or (double gasp) incompetence. Nothing could be further from the truth. One of your top priorities as a manager are to set you and your firm up for success, so don't be shy in asking for support.

The following activities and practices will improve the odds of you being an effective firm leader and manager, while at the same time reducing your stress and enhancing your wellbeing.

2. Mind Your Time. Make sure you have time to manage and lead. Time is a finite resource and no matter how efficient you are management activities take time. Running even faster on the hamster wheel is a poor strategy for improving your wellbeing. Try these instead:

- *Delegate more.* Every day try to delegate at least three client or administrative matters that you usually would have handled yourself. For guidelines on how and what to delegate, please refer to Chapter 6 of *Lawyers as Managers* (Elowitz & Wasserman, 2017, pp. 79-104). Studies show that law firm partners that delegate not only

save time but also make more money (Hubbard, 2016).

- *Track your energy levels.* There are times of day and days of the week when we are our most focused and productive. When our energy levels are low, it takes us longer to get things done. If we can't add hours to the clock, at least we can use those hours more productively. By tracking your energy levels you will learn the best times for you to approach items that require the most analytical skill and concentration. You may also learn that caffeinating, though widely used, is not the best or only practice for boosting your energy levels. Paying attention to your sleep, nutrition, exercise, and recreation are better and more sustainable strategies (Schwartz & McCarthy 2007).
- *Manage other's expectations of you.* Don't forget the importance of also managing the expectations of you firm, partners, and family as to how much time you can and will devote to management activities. These conversations can help prevent strife and stress down the road. Initiate discussions with your firm about adjustments to your billable hours targets, client development efforts, and compensation that reflect your added contributions as a manager.

3. Clarify Your Authority. Make sure your management authority is commensurate with your responsibilities. There are few things more frustrating than being given the responsibility to do something without also being given adequate resources and authority to accomplish it. Your authority will of course vary depending on the nature and significance of a decision. You can simplify your life and save time by sharing the following guidelines with other firm members to clarify the boundaries of your power (Elowitz & Wassermann, 2017, pp. 210-215):

✓ **Who is making the decision?**

- You, as the manager?
- You with input from one or more individuals?



- You with input from a group?
- By group consensus?
- ✓ **Once the “who” has been determined also pay attention to:**
 - Who will be giving input on the decision?
 - Whose approval (if any) is needed?
 - Who must be notified on the decision and when?
 - Who will be implementing the decision?
 - Have those responsible for implementing been given clear instructions, necessary resources, and performance criteria?



Once firm stakeholders are in agreement with you about these guidelines, time is saved and wasteful firm politics are minimized. Conversations are focused where they should be—on the merits of a decision rather than on personalities. Knowing the limits of your authority will help you determine whether your decision-making authority matches your management responsibilities. If it does, great! And if it doesn't, you can begin conversations to help bring them into congruence. Either way you will minimize your chances of feeling powerless and disengaged.

4. Commit to a Shared Vision. Make sure your firm has a clear vision, direction, and business plan. You may be wondering how doing this will enhance your wellbeing. Managing lawyers can be challenging and stressful. It has often been likened to herding cats (Richard, 2002, and Elowitz, 2018). It's much easier to lead and manage when everyone is on the same page about a firm's values, direction, and plans to get there. Getting agreement and alignment up front minimizes tensions and provides you with a game plan you can follow. When your “cats” all have the same goal, you will deal with fewer conflicts within your firm.

5. Develop Your Support System. Further develop your support system by reaching outside your firm. The burdens of management can feel heavy at times and it can be difficult to look to someone within your firm for support. The alternative is to look outside where there are abundant resources:

- Law practice management coaches and consultants can help you develop your skills and work through especially tough challenges.
- Managing partner roundtables are in-person or virtual groups of lawyers that meet on a regular basis to discuss management matters, share best practices, and offer mutual support.
- Bar associations offer CLE programs and webinars on a wide range of management topics. Attending them is a great way to benchmark your management skills, meet people with similar challenges, and discover the most useful law practice management blogs, websites, periodicals, and books.

Any of these three resources will help keep you from feeling lonely and isolated at the top of your firm. Several recent studies have shown that feelings of loneliness are especially prevalent among lawyers and that they threaten our physical health and wellbeing (Rubino, 2018).



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Positive Leadership: Key Ingredients For Unleashing The Best In Others

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Wouldn't we all love to work in law firms that bring out our best? And, as aspiring positive leaders, wouldn't we all love to know the secrets to unleashing the best in others? Psychological science offers some helpful insights on these very questions. Of particular importance is a well-established and powerfully predictive framework of human motivation called "self-determination theory" (SDT), which forms the foundation of my book [Positive Professionals](#). SDT identifies key ingredients that contribute to optimal performance, health, and happiness.

SDT proposes that we're all naturally inclined toward growth and happiness and that our social surroundings facilitate or thwart our path toward optimal functioning. Our continued growth depends on whether our social conditions thwart or help meet basic psychological needs:

- ✓ **Autonomy.** This need is driven by a basic human desire to be "self-creating" and under self-rule. It's about feeling authentic and like the author and architect of our own behavior—that our behavior aligns with our interests and values and is within our responsibility and control. It is the opposite of feeling controlled, bossed around, or guilted in to things.
- ✓ **Connection & Belonging (or "Relatedness").** We humans have a fundamental need to connect and belong. This includes supportive relationships as well as a sense of belonging or fit with groups we care about. This need is powerful and pervasive. It can help or harm our cognitive processes, emotional patterns, behaviors, and health and well-being. Lack of belonging and feelings of exclusion can trigger self-defeating behaviors like procrastination and depression.

- ✓ **Mastery (or "Competence").** Our fundamental needs also include feeling confident in our ability to master new skills and to have an impact on our environment. Continuous learning and a growing sense of mastery in activities that are significant to us are keys to this source of well-being.
- ✓ **Helping Others (or "Benevolence").** Research also suggests that we have a basic need to feel that we're benefiting others or the common good.

Ingredients For Thriving Firms



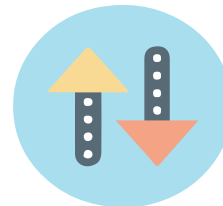
Connection & Belonging

Supportive relationships and a sense of belonging or fit with groups we care about.



Mastery Activities

Continually learning, growing, and gaining confidence in our ability to make things happen.



Autonomy

Feeling that our choices are self-authored and aligned with our own preferences. The opposite of feeling controlled, forced, or guilt-driven.



Helping Others

Having a positive impact on others or the common good.



This may all sound fine and good but still leave you wondering if it really applies to that special breed of people called *lawyers*. Recent research shows that it absolutely does.

Researchers Larry Krieger (a law professor-turned-researcher) and Dr. Kennon Sheldon (a highly respected social scientist) conducted a large-scale study of 6,000 lawyers working in a wide variety of legal jobs. The study, titled [What Makes Lawyers Happy?](#), asked what kinds of things in lawyers' social surroundings contributed to their happiness.

It found that SDT needs made a huge difference in lawyers' lives. The relationships between lawyer happiness and SDT needs was much larger than other factors in the study. For example, the positive relationship between need-fulfillment and happiness was three times as large as the relationship between income and happiness. And whether lawyers had achieved a high class rank during law school (something that so many law students stress out about) had a very small relationship with their current levels of happiness.

SUPPORTING THE AUTONOMY NEED

All of the SDT needs are essential ingredients to thriving workplace cultures. But we need to start somewhere, and the autonomy need is a good place to start. (My book [Positive Professionals](#) offers strategies for fulfilling all of the needs). Leaders, colleagues, clients, and workplace policies and practices all can support or undermine our sense of autonomy.

Experiencing autonomy goes hand-in-hand with feeling respected, valued, and important. It is the experience of choosing an activity freely because it aligns with our own values, goals, and desires—it aligns with who we are. It's not synonymous with individualism or detachment. In particular, it doesn't mean that we must act independently from others' desires. Instead, it's a need to act with a sense of choice and volition, even if doing so might mean complying with the wishes of others.

Autonomy at work typically takes the form of discretion for work scheduling, decision-making, and work methods. All three forms of autonomy significantly contribute to job satisfaction and engagement, but decision-making autonomy leads the pack. Below are some strategies for fostering a culture that supports autonomy:

1. FOSTER A SENSE OF CONTROL

Autonomy is closely related to the concept of control—which affects not only engagement but also psychological health. Feeling in control of one's own work and schedule is a well-established factor contributing to mental health. Lack of control—especially in the face of high demands—is a strong predictor of depression and burnout. A high level of responsibility with little control is a toxic combination that can destroy health and performance.

2. OPTIMIZE INDEPENDENCE

Among the best way to support autonomy is to allow as much independence and discretion as followers' level of experience and competence allow. We should allow people to figure things out for themselves, make their own choices as much as possible, and not hijack the project at the first sign of a wobble.

3. GIVE FLEXIBILITY IN TIME & PLACE OF WORK

Flexibility in where and when followers' do their work also helps meet their autonomy need. Technology has dramatically enhanced the potential for such flexibility, making telecommuting both feasible and desirable because it provides greater autonomy and job satisfaction.

Many firms still have not embraced the full potential for flexibility, although some have formally adopted telecommuting policies. Some lawyers continue to frown on the practice, having long relied on “face time” in the office as a de facto measure of commitment and productivity. They worry that associates will shirk their responsibilities if allowed to work from home. In short, they don't trust them.



Recent research should help allay these concerns. A 2015 study that crossed industries found that telecommuting did not harm workers' performance—and, in fact, boosted it. They found that the autonomy need was at the root of the effect. Workers felt grateful for the trust and autonomy granted to them by their organizations and so reciprocated with greater energy that positively influenced their performance.

4. FRAME WORK-RELATED COMMUNICATIONS TO RESPECT AUTONOMY

When making work-related requests, leaders respect followers' autonomy by using words of influence rather than coercion. Dwight D. Eisenhower defined motivation as "the art of getting people to do what you want them to do because they want to do it." This is precisely what leaders do when they tailor work requests to respect autonomy.

To take Eisenhower's advice, research shows that we should show responsiveness to others' perspectives,

avoid bossy- or coercive-sounding language, give meaningful rationales for requests, and offer opportunities for choice. For example, a junior lawyer might question the tight deadline given for a project but still act willingly and autonomously because the partner provided a meaningful rationale for it.

The opposite of an autonomy-orientated leadership style is a controlling one. Controlling leaders ignore others' needs, interests, and feelings. To motivate followers, they use directives, threats, incentives, and deadlines. In short, they're bossy and rely on power differentials to motivate. The result is extrinsic, low-quality motivation among followers and all the trouble that flows from that.

Research has found that, no matter what your natural tendencies, you can learn to use a more autonomy-oriented style. Below are some fairly simple research-backed behaviors that you can adopt to start championing autonomy right away:

Autonomy-Supportive Communications

BEHAVIOR

Use language that doesn't sound controlling or coercive. (Avoid bossiness.)

Take followers' perspectives and acknowledge their feelings.

Give rationales for requests.

Tailor motivation strategies to account for followers' interests, preferences, work-related values, and to boost their confidence in their abilities to be effective and master new skills.

Maximize followers' sense of choice and self-initiation.

EXAMPLE

"Can you please ____? It would be really helpful if you could ____."

"I'm sorry about this short turn-around t. I know it's a pain and I'm sorry about that."

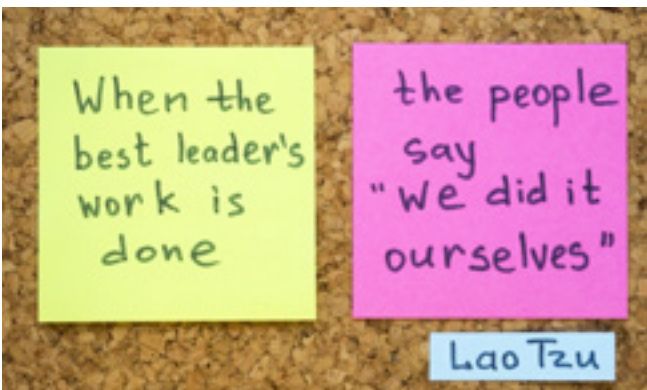
"The client just asked for this by tomorrow."

"I wouldn't ask just anyone to do this, but I know you can handle it. And the upside is that it might give you a chance to take a deposition."

"I know it's getting late and it's fine if you want to go home and work there. What time do you think is reason-able to get me a draft?"

5. USE PARTICIPATORY LEADERSHIP

In participatory management styles, leaders invite others' suggestions, solicit input, and spur open discussions for identifying new solutions. This type of leadership demonstrates that leaders value others' opinions, contributions, and talents. When people are involved in making decisions, they feel more autonomous when carrying them out. This tactic boosts followers' sense of meaningfulness because they feel valued and that their opinions matter. On the other hand, people who are left out of decision-making have a higher risk of burnout.



WON'T THIS TAKE MORE TIME & EFFORT?

It's true that autonomy-oriented leadership often requires investment of extra effort compared to directive or controlling styles. It can be easier to boss people around than inspire them. But research indicates that it's worth it. It will pay off by enhancing motivation and engagement.

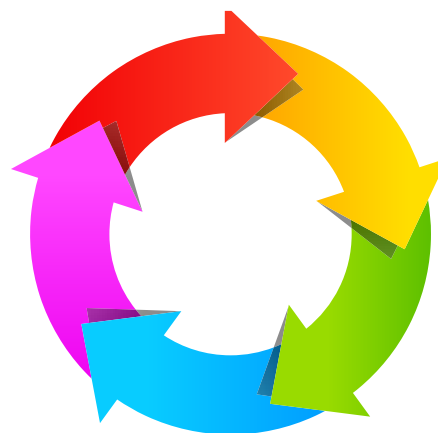
RESOURCES

Book Recommendations

- Anne Brafford, *Positive Professionals: Creating High-Performing, Profitable Firms Through The Science of Engagement*
- Liz Wiseman, *Multipliers: How the Best Leaders Make Everyone Smarter*
- Jane Dutton & Gretchen Spreitzer (Editors), *How to Be A Positive Leader*
- Daniel Pink, *Drive: The Surprising Truth About What Motivates Us*
- Michael Bungay Stanier, *The Coaching Habit: Say Less, Ask More, & Change The Way You Lead Forever*
- Paul J. Zak, *Trust Factor: The Science of Creating High-Performance Companies*
- Bruce Avolio, *Leadership Development in The Balance*
- John Mackey & Raj Sisodia, *Conscious Capitalism: Liberating the Heroic Spirit of Business*

Autonomy-Support Checklist:

- ✓ Foster a Sense of Control
- ✓ Optimize Independence
- ✓ Give Flexibility in Time & Place
- ✓ Make Non-Controlling Requests
- ✓ Use Participatory Leadership





Promoting Health, Vibrancy, & Flourishing Lives

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Do you want to feel more healthy and energetic? Don't we all? Physical activity can help:

- Engaging in physical activity helps build positive resources and promotes health, vibrancy, and flourishing lives (Mutrie & Faulkner, 2004).
- Physical activity, movement, and play are essential to our physical, social, emotional, cognitive well-being and for our development at every age.
- Epidemiological data and considerable research indicate that physical activity is a major factor in reducing the risk of disease and disability, and for improving our well-being.

CALL TO ACTION

A “critical call to action” was made at the United Nations High-Level Meeting on Physical Activity and Non-Communicable Diseases that I attended in 2011. This summit identified physical activity as “a fast-growing public health problem contributing to a variety of chronic diseases and health complications, including obesity, heart disease, diabetes, hypertension, cancer, depression and anxiety, arthritis, and osteoporosis.” Three urgent, guiding principles were articulated:

1. Exercise and physical activity are important to health and the prevention and treatment of many chronic diseases.
2. More should be done to address physical activity and exercise in different settings, including at home and at work.
3. Multi-organizational efforts to bring a greater focus on physical activity and exercise across settings are to be encouraged.

LIFESTYLE MEDICINE

In Spring 2018, at the inaugural [American College of Lifestyle Medicine Summit](#), leaders in health, medicine, fitness, and well-being, joined forces. They sought to define the empirical, fast-growing science of Lifestyle Medicine. As defined, Lifestyle Medicine directly encourages:

- Healthful eating of whole plant based foods
- Developing strategies to manage stress
- Forming and maintaining positive relationships
- Improving your sleep
- Cessation of smoking
- Increasing physical activity.

The rationale is that Lifestyle Medicine not only has the power to prevent, treat, and reverse disease, but it may also contribute to real health care reform.





INFUSING PHYSICAL ACTIVITY AND PROMOTING HIGH PERFORMANCE LIVING

This worksheet offers strategies and information on how you can become more positively self-determined to infuse more physical activity, vibrant health, and positive energy into your life.

Our bodies are important to how we think, feel and behave. Vibrancy is a quality of harnessing zest, enthusiasm, and vitality. A focus on the somatopsychic, how our body impacts our mind, as well as the psychosomatic, raises our whole experience of living.

“Our bodies are important to how we think, feel, and behave.”

We have the ability every day to heighten our proprioception: the amazing knowledge of our body in space. With this, we positively impact vibrant health, usually manifested in uplifted energy, confidence, and enhanced performance (Teixeira, 2012). It also feels great.

TIPS TO GET MOVING MORE AND WELL

Is there a way you can increase your motivation to move well and more at home and at work? Can you take your levels of physical activity and fun in frequency, intensity, duration, creativity and enjoyment. Here are some tips to help you get going:

1. Set Goals. Create a strategy that will set you up for success. Write down an action plan that is simple, realistic, and optimistic. Tweak it as needed and as you like. Some people like the SMART goal model: Systematic, Measurable, Action Oriented, Realistic, Timed. Think about and write your short term/long term goals.

- 2. Prioritize Activity.** Your action plan should consider how you can prioritize physical activity in your busy schedules. In the 1440 minutes of your day, give at least 30 minutes, 5-6 days per week to physical activity, especially aerobic fitness.
- 3. Start Small and Progress.** If you’ve been inactive, find simple ways to get moving more and well. Take the stairs and frequent short walks. Gradually increase your activity to 30 minutes (non-consecutive minutes are ok), on most days. For example, start by challenging yourself to power walk for 20 minutes. As you progress, increase the intensity so that you’re working in your target heart rate zone alternating with easy and challenging intervals of walking--and, if you want, some running. Try this for 4 to 5 days per week for 8 weeks, alternating with a light, and then a more challenging day. Note your progress, and aim to mark your feelings in a journal at least once a week.



- 4. Straighten Up.** As you get moving, remember to “posture check” yourself. Think of lifting your heart, opening up and increasing your postural awareness: Crown of the head to the sky, tall neck, rib cage lifted up, shoulders down and in, abdominals in and up, hips in alignment, knees in line with hips and ankles, good, balanced foot placement. Then give yourself a big whole hearted forward and backward hug. It’s a great stretch, feels good, and can prime your senses.



5. **Learn to Love Change.** Mixing up your routine keeps it fun, reduces the risk of overuse injuries, and boosts your skill levels. Practice Cross Training (not Cross Fit®), which incorporates a variety of activities (e.g., exercises, dance, sport, recreational moves). This activates different muscle groups, keeps training interesting, and helps reduce the risk of boredom.



6. **Pick a Partner(s).** Having trusted accountability buddies can boost adherence, motivation, and success, and research shows that being part of a group can positively impact health and well-being (Putnam, 2000). Having social support can offer us companionship, strength, and can give us a sense of purpose around our commitment to train. Start a walking club at work, walk with family members, and/or check your local community center, church, or park/recreation program for activities you might enjoy.
7. **Break a Sweat.** Incorporate aerobic movement --“the key to fitness” (Cooper, 1977)--to improve your physical, emotional, social, and neural health and protect you against non-communicable diseases (Ratey, 2008; O’Brien, 2013).
8. **Be Safe.** Create a SAFE, effective training space, even in your office, with a warm, welcoming atmosphere, encouraging positive connections (O’Brien, 2015; Peterson, 2007).
9. **No Pain, Just Gain.** Create an exercise plan that promotes injury-free health. Even in moderation, physical activity, exercise, and movement enhance positive health and well-being. You do NOT need to feel pain to get great benefits. Listen

to your body’s cue, and move with good form and safety first. Avoid the weekend warrior syndrome. Don’t overdo it! Listen to your body, challenge yourself, and have fun.

10. **Aim For Exhilaration.** Leave your training session feeling great, wanting a little more. Feel exhilarated, not exhausted.
11. **Reward your Achievements.** Savor your successes. Find meaningful ways to celebrate your accomplishments.
12. **Get Out in Nature.** The term “green exercise” emerges from a growing body of research that shows that interacting with nature can positively affect our health and well-being, relieving stress, and promoting lucidity and clearer concentration (Archer, 2007). Breathing fresh air and being exposed to the land, sky, and nature’s panoply of colors offers refreshing sensory stimulation. The awe of our surroundings bolsters our appreciation of the beauty of nature. We can reenergize by getting away from stress giving us time to reflect and gain clarity in thinking.
13. **Get Moved By Music.** Being “moved” by music is an ancient, global tradition. Music can enhance our performance, increase our motivation, boost our stamina, and reduce exercise recovery times. What music moves you? Can you think of and play-list tunes from your peak years to boost your energy and your inclination to move? Music is a great way to quickly enhance mood (O’Brien, 2014; Langer, 2009).
14. **Adopt a Play Mindset.** To boost your motivation to move, think of play. What did you enjoy as a child. Are any of those interesting, modifiable, or viable now?
15. **Laugh!** Bring humor, smiles, and laughs to your training (O’Brien, 2013; Seligman, 2011).



PSYCHOLOGICAL BENEFITS OF EXERCISE

The investment into daily activity boosts not only physical health but also psychological well-being. For example, exercise:

- Acts as a relief from tension, depression, and fatigue. “It’s an ideal antidepressant” (Ornish, 2018). Tal Ben-Shahar has stated, “Not exercising is like taking a depressant!”
- Helps create a sense of independence/self-care/positive self-determination.
- Helps cultivate experiences of joy, self-worth, mastery, possibility, and fulfillment.
- Can result in experiences of “flow” (as defined by Mihaly Csikszentmihalyi).
- Fulfills a need to play and have fun.
- Inspires others by being a positive role model.
- Builds confidence and kinesthetic awareness.
- Creates change in values generally as well as positive feelings about your body.
- Boosts greater sexual appreciation (Ornish, 2018).

HEALTH BENEFITS OF AEROBIC ACTIVITY

“Aerobics is the key to fitness.”
– Dr. Ken Cooper

Aerobic activity has special benefits. “Aerobics” means “with oxygen.” Aerobic exercise, in the presence of oxygen, trains the heart and lungs (cardiopulmonary system), the brain, and all bodily systems. Some examples of aerobic activities for you to incorporate include:

- Brisk walking (100 steps/minute)
- Dancing
- Running
- Water Fitness/Swimming
- Cross Country Skiing

- Bicycling
- Hiking
- Skating
- Skiing
- Surfing
- Basketball

Important benefits of aerobic activity include:

1. Boosts Your Energy. An important benefit of aerobic activity is that it gives you more energy. As your heart strengthens, it will pump more blood with less work, and your resting pulse will drop, as your body’s amazing efficiency improves.

2. Boosts Your Brain Power. A growing body of research has demonstrated that aerobic exercise boosts our brain power, increasing brain derived neurotropic factor, which is like Miracle Grow for your brain’s synaptic connectivity. Ratey (2008) discusses how aerobic exercise benefits the brain:

- Generates new brain cells, which is called “neurogenesis”
- Strengthens between cell connections
- Promotes neuroplasticity: restoring, repairing, and building resilience in the brain.

Boosting our executive function is important because it helps us plan, organize, and initiate action. It helps us learn from mistakes and maintain focus, and improve working memory. On the other hand, dysfunction in the executive function leads to a disruption in the organization and control of behavior. Additionally, aerobic exercise in the middle years has been shown to greatly reduce the risk of cognitive disorders later in life (Aamodt & Wang, 2007).

In short, aerobic exercise makes us smarter daily and for the long haul, while also making us look better, feel better, do better, and boost our mood.



FITTING IN MORE PHYSICAL FITNESS EVERYDAY

The many benefits of physical activity should have us all feeling inspired to get moving. But how do we fit it into our busy schedules? Most of us are sitting way too much. Changing this will take time and perseverance, but it will be worth the effort.

Creating more ways to incorporate physical activity into your work day is a good place to start. Below are some strategies for doing so:

- Standing or walking meetings
- Treadmill or standing desks
- Energy breaks during meetings
- Exercises at your desk like seated push ups, seated jumping jacks, knee raises
- Joining forces to train together with colleagues in meaningful activities. You can Race for the Arts, Walk for the Cure, and find ways to be a positive role model.
- Have an office mini Dance Break – take turns picking music and coming up with cool moves.

For more ideas and encouragement, check the [Exercise is Medicine](#) website.

RELAXATION TRAINING

While being more physically active is essential for our health, so is calming the high physiological arousal that our stressful work often generates.

“Arousal” generally is not a bad thing, but arousal that triggers our stress response can be harmful if not “shut off.” “Arousal” is simply the physiological and psychological state of being awake. It is also the stimulation of our sensory organs. Arousal is important in regulating consciousness, attention, alertness, and information processing. Arousal can be learned and with intention, and practice, we can

consciously regulate, maintain, and establish better, more consistent performance.

Green and Green (1977) studied autonomic function control. Their findings demonstrated how, with training, individuals can alter their:

- Brain waves
- Heart rate
- Respiration
- Blood pressure
- Body temperature
- Other bodily processes generally associate with the autonomic nervous system.



Relaxation Training is a practice used to increase calmness or otherwise reduce pain, anxiety, stress or anger. Because we are often faced with many demands, and a deluge of overstimulation, here are some tools to help you breathe and relax:

Easy Belly Breath for Calming, Reorganizing, and Energizing. Sit in a comfortable spot. Close your eyes. Imagine your belly is the ocean, and your breath, the waves. As the waves roll in, breathe in, and as the waves roll out, breathe out. Allow your breath to be natural and easy, flowing effortlessly like the waves onto the beach. Enjoy becoming more relaxed, nurtured, peaceful, and clear.



Methods of Breathing: All breaths start with a deep exhalation; then breathe in through the nose, and out through the mouth. All breaths are executed with excellent posture, form, with your eyes open or closed, honoring the self and others.

1. Complete breath/diaphragmatic breathing:

Place one hand on your abdomen, and the other on your upper chest. Slowly, and while visualizing the lungs as 3 chambers, breathe in, and fill your belly, chest cavity, and then the top of your lungs (by your collarbone, expanding the shoulders) with air. Exhale and repeat.

2. Rhythmic breathing, & sigh of exhalation:

Breathe in for a count of 4, hold the breath for a count of 7, and exhale audibly for a count of 8.

Relax and repeat.

3. 1:2 ratio: Breathe in and out fully. Breathe in for a count of 4, out for a count of 8. With practice you can change the count to 5:10, or 6:12.

4. 5-to-1 count: Say and visualize the number “5: as you take in a full deep breath in and out. Mentally count and visualize the number “4,” saying to yourself, “I am more relaxed than I was at 5.” Continue the countdown until you get to “1,” and are totally relaxed.

5. Concentration Breathing: Breath of Thanks: Breathe in for 7 counts, hold for 7 counts, and exhale out for 7 counts. Relax and repeat.

Incorporating Calming Activities at Work. Taking moments to engage in beneficial breathing is one way to incorporate more calming, relaxation activities into our work days. Others include:

- Siesta pods for a little necessary and beneficial rest time.
- Mats for prayer, rest, or meditation
- Availability of good, clean, fresh, (plant based) food
- Flex, time, and shorter or variable hours

POSITIVE EMBODIMENT: CARE FOR YOUR BODY, HEART AND MIND

“Embodiment” is a field of study dedicated to exploring and understanding the subjective experience of the body. Embodiment has to do with things like our proprioception: awareness of our body in space, and our comportment: how we carry ourselves, mentally and physically, during the day.

The hope is that this worksheet will inspire you to find ways to elevate your well-being for a lifetime. Taking moments for self care and reflection are important. So is appreciation for your self. Here are questions around physical activity, embodiment, and vibrancy to consider in lovingly tending for your body, heart, and mind:

Appreciative Questions and Reflections on Your Body and Vibrancy:

1. What aspects of my body can I notice or appreciate that I may take for granted?
2. When do I tend to have the most energy, or feel best during the day?
3. How can I incorporate more of this good energy into each day?
4. Think back to an experience when you really felt good physically. What was going on during this peak time? What can I apply in my life now?
5. Imagine optimal health. How does it feel? How can I create that?
6. How might I infuse more passion and zest into my life today?

RESOURCES AND REFERENCES

Want an Energy Boost; Making Positive Psychology Work: Podcast with Elaine O’Brien and Michelle McQuaid:



<https://www.michellemcquaid.com/podcast/want-energy-boost-podcast-elaine-obrien/>

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RESOURCES

Contributed by Anne Brafford

Book Recommendations

- Tom Rath, *Eat, Move, Sleep*
- Tom Rath, *Are You Fully Charged? The 3 Keys to Energizing Your Work and Life*
- John Ratey, *Spark: The Revolutionary New Science of Exercise and the Brain*
- John Ratey, *Go Wild: Eat Fat, Run Free, Be Social, and Follow Evolution's Other Rules for Total Health and Well-being*
- Eva Selhub & Alan Logan, *Your Brain on Nature: The Science of Nature's Influence on Your Health, Happiness, & Vitality*
- David Carless & Kitrina Douglas, *Sport and Physical Activity for Mental Health*
- Wallace Nichols, *Blue Mind: The Surprising Science That Shows How Being Near, In, On, or Under Water Can Make You Happier, Healthier, More Connected, and Better at What You Do*
- Mihaly Csikszentmihalyi, *Flow: The Psychology of Optimal Experience*

Videos

- Wendy Suzuki, *The Brain Changing Benefits of Exercise*, **TED Talk**



Fit Fore Golf: Dr. Elaine's PGA, Positive Golf Activities

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A key strategy to help increase our daily physical activity is to increase the physical challenge of activities that we're already doing. Golf is one such activity that many lawyers already enjoy.

First, golf can be an aerobic activity if you play a fast game and without a golf cart. Adding a golf conditioning program is another great way to help raise your fitness level. It also can improve your game and add yardage to your drive. To get started, below are some stretching and strengthening moves to help you improve your health, stability, and vitality and also improve your game:

1. **Dorsi flex:** This is a simple toe tap that can improve flexibility. It stretches the gastrocnemius (calf) and strengthens the tibialis anterior (shin area). This simple, but effective stretch helps us with balance, flexibility and injury prevention. It's easy to do at the office, at home, or at play. Do 12 toe taps, each foot, 3-4 times per day.
2. **Calf stretch:** Put your feet parallel in a stride position with one foot in front of the other. Lower your back heel to the floor, and hold the stretch, static (not bouncing) for 15-20 seconds. Then switch. Repeat throughout the day to increase your flexibility.
3. **Quadricep Stretch:** Bend your leg gently at the knee with your foot towards your buttock until you can feel a gentle stretch on the front of the thigh. To increase the stretch, tilt your hips slightly backwards. Hold for 20-30 seconds and repeat 3 times. Do this at least 3 times a day.
4. **Seated Hamstring Stretch:** Bring your hands behind the back upper thigh, (not behind the fragile kneecap, but the belly of the hamstring muscle); extend your leg, and lift it up, alternately pointing and flexing the feet. Hold for 20-30 seconds, and repeat 3 times. Do this at least 3

times a day to reduce your risk of low back pain.

5. **The Plank.** This is a slightly advanced, simple, but effective bodyweight exercise. Holding the body (light as a feather) and stiff as a board develops strength primarily in the core—the muscles that connect the upper and lower body—as well as the shoulders, arms, and glutes. There are variations on this, and like other exercises and skills, it's good to build progression.



6. **Push-ups:** Wall push ups, which can be done anywhere, boost chest and arm strength.
7. **Squat:** Targeting the legs and gluteals, squats are an excellent way to warm up your core, especially prior to stretching, and power up your energy and strength.

In a golf swing, 33 major muscles are activated. Also, the nature of golf is that is a highly repetitive activity, often at a relatively high level. Because golf involves core flexion and rotation in the swing, and bending over and over again and again to pick up the ball (up to 200 times/game), there tend to be higher incidences of chronic low back pain among golfers. Light rhythmic strength training, and stretching can help reduce the risk of aches and pains. It's a good idea to speak with your golf pro or a kinesiologist about ways you can improve your swing, and your biomechanics.



Lawyer Assistance Program Contacts By State

To make it easy to contact your local Lawyer Assistance Program (LAP), below is a list of Directors or other leaders of the state LAPs whom you can contact for support with your well-being initiatives.

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*Thanks very much to Sara Smith, Associate Counsel
for the American Bar Association's Center for
Professional Responsibility, for compiling this list.*