The demands of being a lawyer or law student can sometimes leave you feeling overwhelmed. Fortunately, there are effective techniques to keep your brain circuits healthy and build your resilience.

**Mindfulness**

Mindfulness is a technique that cultivates the skill of being present by focusing attention on your breath and detaching from your thoughts or feelings. The skill will help minimize the tendency to rehash the past or anxiously rehearse the future. Research indicates that mindfulness has a host of benefits, including helping to deter rumination, improve attention, and reducing depression and anxiety (e.g., Teper, et al., 2013; Huffziger & Kuehner, 2009). See the sidebar for resources for learning more about mindfulness meditation.

**Manage Negative Thoughts**

Also effective for improving resilience is learning the “ABC model” founded in cognitive behavioral therapy research. It will help you counter negative thoughts and more accurately assess adverse events. It’s designed to boost mental flexibility, which is central to resilience. Research reflects that this practice helps prevent anxiety and depression (Reivich, & Shatte, 2002; Gilham, et al., 2007).

The ABC model is fully described in *The Resilience Factor*, noted in the sidebar. Briefly, the process starts when an Adversity occurs, such as a negative encounter with colleagues or opposing counsel. How do you feel when that happens? Anxious? Angry? Embarrassed? Why do you feel that way? It’s obvious, right? They were jerks to you. Not so fast. It’s not actually the Adversity that causes the negative feelings. Rather, it’s your Beliefs or thoughts about the event (e.g., I’m going to be humiliated and everyone will think I don’t belong here) that create Consequences, such as anxiety or embarrassment.

Many people mistakenly believe that the external adverse event inflicts emotional harm on us. But, actually, we impose our own interpretation on the adversity, and that’s what causes the harm. By slowing down and identifying the beliefs/thoughts that have been triggered by the adversity, we then have a chance to make a decision to think and act differently. We prevent an emotional hijacking by challenging the accuracy of negative thoughts, which increases resilience.

If you’re interested in learning more, consider checking out Mood Gym (moodgym.com.au). It’s a subscription-based online program created by academics to teach cognitive reframing.

**Remember:** Don’t believe everything you think.
Stress Mindset

“Stress mindset” refers to how we think about stress—whether we believe it’s good or bad for us. With a positive stress mindset, we tend to focus on the enhancing qualities that stress can have on performance, productivity, learning, growth, and well-being. With a negative stress mindset, we view stress primarily as debilitating (Crum et al., 2013, p. 716). Our mindset about stress powerfully influences our physiological response to it. If we view stress as debilitating, we’re likely to feel threatened by stress. This is likely to harm our performance and health. If we have a challenge response, we perceive ourselves as ready and capable. In that case, our physiological response is much different and supports optimal performance.

Simple activities can help shift people to positive stress mindsets (Crum et al., 2013; McGonigal, 2015). We can begin by reframing jittery feelings as excitement to do something important rather than a sign of inability or lack of preparedness that will harm performance. This shift in mindset, in turn, affects our physiological response and supports performance.

Steps for Developing a Positive Stress Mindset:

**1. Notice Your Stress:** Acknowledge stress when you experience it. Notice it, how it affects your thoughts, emotions, bodily response.

**2. Welcome Your Stress:** Remember that stress is a response to something you care about. It provides an opportunity to improve skills, knowledge, or strengths. Think about your strengths and remember times when you’ve overcome similar challenges.

**3. Channel The Energy:** Use the energy stress gives you instead of wasting it on trying to “relax”—which is not effective. Think about how your brain and body are mobilizing to help make sure you perform at your best. Say to yourself or out loud, “I’m excited!” It tricks your body into thinking that stress is actually positive excitement.

Read Kelly McGonigal’s *The Upside of Stress* to learn more.

Resources

**Books**
- Martin Seligman, *Learned Optimism*
- Karen Reivich & Andrew Shatte, *The Resilience Factor*
- Mark Williams et al., *The Mindful Way through Depression*
- Kelly McGonigal, *The Upside of Stress*

**TED Talk Videos (www.ted.com)**
- Jane McGonigal, *The game that can give you 10 extra years of life*
- Kelly McGonigal, *How to make stress your friend*

**Web Resources:**
- [www.positivityratio.com](http://www.positivityratio.com) see “on-line tools” for meditations
- [www.tarabrach.com](http://www.tarabrach.com) see “guided meditations”
- [www.happify.com](http://www.happify.com) see tracks on “Conquer Your Negative Thoughts,” “Cope Better with Stress,” and “Find Peace Now: Reduce Stress, Relieve Anxiety”
- [www.superbetter.com](http://www.superbetter.com) see power packs “Mind Master,” “Realistic Optimism,” “Stress Buster,” and “Mental Resilience”

**Apps**
- Meditation for Fidgety Skeptics by 10% Happier

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While building a healthy body through physical activity, you also will be enhancing your happiness. Research showing the link between physical activity and psychological well-being is truly convincing.

**Exercise.** Studies reflect that exercise can be as effective at relieving depression as antidepressant medication (Chu, et al., 2009). Both aerobic activity (e.g., running/walking) and resistance training (e.g., lifting weights) have psychological benefits (Herring et al., 2011). A recent study found that fitting in even one hour per week of exercise helps stave off depression (Harvey et al., 2017).

**Yoga.** Try adding yoga to your exercise routine. It has been linked to enhanced mindfulness and reductions in anxiety, fatigue, and sleep disruptions (Field, 2011; Chugh-Gupta et al., 2013).

**Go Outdoors.** Try to move your physical activity outdoors where you can experience nature. Studies show that being in nature is linked to feelings of positive emotion, increased self-esteem, and enhanced attention and cognitive functioning (which can help renew your stamina for concentrating; Kamilitsis & Francis, 2013; Johansson, et al., 2011).

**Make it a Habit.** Adding more physical activity to your day is among the easiest ways to enhance your happiness.

You have many options to work more activity into your life: walk at lunch with a friend, take an afternoon break to walk outside, lift weights, take the stairs, dance wildly to your favorite song. Sneak it in wherever you can. Consider the benefits of even micro-changes—a few minutes here and there can add up to large gains in your physical and psychological wellness.

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**Resources**

**Books:**
- Tom Rath, *Eat Move Sleep: How Small Choices Lead to Big Changes*
- Kate Hefferton & Ilona Boniwell, *Positive Psychology & the Body*
- John Ratey & Eric Hagerman, *Spark: The Revolutionary New Science of Exercise and the Brain*

**TED Talks: www.ted.com**
- Dan Buettner, *How to live to be 100+
- Russell Foster, *Why do we sleep?*

**Web Resources:**
- www.eatmovesleep.org personalized eat, move, sleep plan
- www.sparkinglife.org exercise and optimal brain functioning
- www.happify.com see tracks on “Nurture Your Body and Soul,” and “Get Motivated to Get Fit”
- www.superbetter.com see power packs “Lazy Exercise,” “Rest Easy,” “Your Body Rocks,” “The Power to Quit Anything,” and “Better than a Chill Pill”
Connect with People. Among the best supported findings in the scientific study of well-being is surprisingly simple: Other people matter. People need relationships to flourish. Research has unequivocally shown that close relationships are strongly linked to health and well-being, including reductions in the perception of stressors and anxiety (Gable & Gosnell, 2011). But what’s the first thing to get the shaft when you get busy at work or school? Time spent with your friends and family? When this happens, the circles of your life become smaller and smaller—and the risk of depression and burnout gets greater and greater. It’s important to make personal relationships a priority. Create rituals, such as Wednesday pizza night with friends. Call your parents. Email old friends. Just stay connected.

Acts of Kindness. A fun way to connect with others is by performing acts of kindness. There’s much evidence that doing so decreases negative emotions and stress and improves happiness, self-evaluations, and social relationships (Tkach, 2005). The most effective way to boost happiness through acts of kindness is to choose a variety of acts and to do a bunch of kind acts all on one day. Spreading kind acts out across the week dilutes the effect compared to, for example, choosing one day to really focus on kindness (Lyubomirsky & Layous, 2013; Lyubomirsky, et al., 2005). So consider incorporating Thoughtful Thursdays or Friendly Fridays (discussed below) into your schedules.

Savoring. A way to prolong the positive effects of connecting with others is through savoring, which also boosts positive emotions (Eisner, Johnson, & Carver, 2009). Increasing positive emotion can help undo the cumulative impact of stress (Fredrickson, 2000).

Savoring means to actively replay positive events in your mind and continue to think or talk about positive events. Check out The How of Happiness noted in the sidebar for more suggestions about savoring.

Resources

Books:
- Brene Brown, Daring Greatly
- Sonja Lyubomirsky, The How of Happiness
- Barbara Fredrickson, Love 2.0
- Barbara Fredrickson, Positivity

TED Talks: www.ted.com:
- Hannah Brencher, Love letters to strangers
- Yann Dall’Aglio, Love—you’re doing it wrong
- Barbara Fredrickson, Remaking Love
- Matthieu Ricard, The habits of happiness
- David Steindl-Rast, Want to be happy? Be grateful

Web Resources:
- www.positivityresonance.com
- www.randomactsofkindness.org
- www.soulpancake.com
- www.superbetter.com see power packs “Absurdly Grateful,” “Emotional Resilience,” “Social Resilience,” and “Simply Connected”
References


While genetics do play a role in our patterns of happiness, biology is not destiny. Much about our genetic makeup is malleable. Additionally, our life circumstances and factors within our voluntary control play a big role in our happiness (Lyubomirsky et al., 2005). This is good news. It means that even those born with gloomy genes have control over factors that can significantly increase their well-being.

Focus on the journey, not the destination. The benefits are greater positive emotions and well-being.

To help get you started on new habits to improve your happiness, below you’ll find worksheets that provide more specific instructions to carry out several happiness activities.

**We Can Grow Our Happiness**

While genetics do play a role in our patterns of happiness, biology is not destiny. Much about our genetic makeup is malleable. Additionally, our life circumstances and factors within our voluntary control play a big role in our happiness (Lyubomirsky et al., 2005). This is good news. It means that even those born with gloomy genes have control over factors that can significantly increase their well-being.

**Assess Your Progress**

To test whether the activities increase your happiness, try this: Before you start any of the activities, take a happiness survey. Then repeat the survey in six-week intervals and keep track of your results. You might find your happiness levels perking up!

A good survey to use is the Satisfaction with Life Scale (SWLS; Diener et al., 1985). You can take it for free here: [http://www.excelatlife.com/questionnaires/swls.htm](http://www.excelatlife.com/questionnaires/swls.htm). It’s a short 5-item survey that takes only about a minute to take.

You can assess depression using the Center for Epidemiological Studies-Depression Scale (CES-D) for free on the University of Pennsylvania’s Authentic Happiness website in the Test Center: [www.authentichappiness.sas.upenn.edu/testcenter](http://www.authentichappiness.sas.upenn.edu/testcenter).

**Prioritizing Positivity**

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; better immune systems, cardiovascular health, and pulmonary functioning; and higher life and work satisfaction.

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 bad thing with three to five good ones. This means that 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 also be aware that pursuing happiness for its own sake can backfire and actually make us less happy. According to research, the best strategy is to deliberately plan daily opportunities that can lead to naturally-occurring positive emotions (Datsu & King, 2016).

**References**


To get started, you’ll first need to identify your strengths by taking the VIA Survey: http://www.viacharacter.org/www/. 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.

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.

“What 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).

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.

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

1. **Wisdom:** Creativity, curiosity, judgment/open-mindedness, love of learning, perspective
2. **Courage:** Bravery, perseverance, honesty
3. **Justice:** Teamwork, fairness, and leadership
4. **Humanity:** Love, kindness, and social intelligence
5. **Temperance:** Forgiveness, humility, prudence, and self-regulation
6. **Transcendence:** Appreciation of beauty and excellence, gratitude, hope, humor, spirituality, and zest

This list by no means exhausts all human character strengths, but they are the ones that were found to be universal across cultures. Americans value their own set of idiosyncratic strengths (such as achievement) that are not universally valued across cultures.

**What Are Signature Strengths?**

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.

“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 have shown 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, & Gurpal, 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, & Gurpal, 2012).

Now that you’ve identified your character strengths, it’s time to put them into action…

List Your Top 7 Strengths

Strength 1:
Strength 2:
Strength 3:
Strength 4:
Strength 5:
Strength 6:
Strength 7:

Identify Your Signature Strengths

Signature strengths are those 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 who 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?

Put Your Strengths 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.

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Of your top seven strengths, which do you identify as your signature strengths? Often, people identify three signature strengths, but you may have more or less.

Signature Strength 1:  
Signature Strength 2:  
Signature Strength 3:  
Signature Strength 4:  
Signature Strength 5:  

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.

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), which you can find here: http://www.viastrengths.org/Applications/Exercises/tabid/132/Default.aspx.

1.  
2.  
3.  

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.
References


Niemiec, R. M. (2013). VIA character strengths: Research and practice (The first 10 years). In H.H. Knoop & A. Delle Fave (Eds.), *Well-being and cultures: Perspectives on positive psychology* (pp. 11-30). New York: Springer.


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 (large and small) can significantly enhance your happiness. Multiple studies have shown the positive power of gratitude (Emmons & McCullough, 2003; Lyubomirsky, Sheldon et al., 2005; Sheldon & Lyubomirsky, 2006). People who are consistently grateful have been found to be happier; more energetic; and less depressed, anxious, or 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 smartphone 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.

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Thankful Thursdays (cont.)

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: https://www.youtube.com/watch?v=oHv6vTKD6lg.

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.

References


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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:

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 of your own choosing and not overly disruptive to your life (Della Porta, 2012).
- **Variety.** Variety is important. Shake it up so that you don’t grow tired of your chosen acts of kindnesses. You’re more likely to sustain the benefits of doing acts of kindness when you vary your activities (Lyubomirsky & Layous, 2013).
- **Novelty.** 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.** Carry out your kindness activities mindfully. Put yourself in the other persons’ shoes and consider the impact of your actions on their lives (Lyubomirsky, 2007).

- **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.
- **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.

**References**


Now it’s time to create your own Happiness Plan. Keep your goals specific and manageable. Start anywhere and be creative in adapting these ideas to best suit you. Micro-changes matter!

1. Social Connection Goals

- What amount of time each week/month will you commit to family and friends? What will you do with that time?
- Create rituals, e.g., lunch with friends twice per month; call parents every two weeks; run/walk/bike with friends on Saturdays; send birthday and holiday cards; write letters; make plans to see a friend you’ve lost touch with.

2. Acts of Kindness Goals

- Adopt “Thoughtful Thursdays.” Pick one day each week to commit a special and large act of kindness or, alternatively, three to five little ones. Vary what you do.

3. Exercise & Physical Health Goals

- What amount of time each week/month will you commit to physical activity? Schedule regular exercise: Walk 40 minutes 5 days/week; walk/ride bike to class; take stairs; wear pedometer and strive for 10,000 steps/day; lift weights; swim; hike in nature; go skiing; meditate; do yoga.

4. Gratitude Goals

- What will you do each month to express gratitude? Once a month, prepare a gratitude letter to someone who has touched your life. Go see them/call them and read it to them.
- Keep a gratitude journal in a diary or a smart phone app. Write down things for what you’re grateful. Start out doing it every day, then move to once a week.

5. Goals for Using Strengths

- What will you do to use your strengths?
- After identifying your signature strengths through the VIA Survey, identify new ways to use those strengths each week in various domains of your life.

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**COLAP**

**Commission on Lawyer Assistance Programs (COLAP)**

- **Mission**: To educate the legal profession concerning alcoholism, chemical dependencies, stress, depression and other emotional health issues, and assist and support all bar associations and lawyer assistance programs in developing and maintaining methods of providing effective solutions for recovery.

- **Blog**: Provides updates on events, activities, content related to attorney wellness:
  [https://abacolap.wordpress.com/](https://abacolap.wordpress.com/)

- **Website**: Provides hotlines, resources, publications, and events.
  [https://www.americanbar.org/groups/lawyer_assistance.html](https://www.americanbar.org/groups/lawyer_assistance.html)

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**ABA LP Attorney Well-Being**

**ABA Law Practice Division Attorney Well-Being Committee**

- **The ABA Law Practice Division’s Attorney Well-Being Committee launched in 2015.**

- **Mission**: To help the legal profession thrive by providing resources, education, and leadership on well-being-related topics.

- **Website**: [http://apps.americanbar.org/dch/committee.cfm?com=ep100100](http://apps.americanbar.org/dch/committee.cfm?com=ep100100)

- **Contact**: Anne Brafford, Chairperson, abrafford@aspire.legal

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**2017 Report on Lawyer Well-Being**

The National Task Force on Lawyer Well-Being is a consortium of entities in the legal profession committed to lawyer well-being. In 2017, the Task Force issued a comprehensive report with recommendations for improving wellness in the legal profession: *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, found at [https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf](https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf)

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**Other Reports & Guidelines**


- The National Standard of Canada for Psychological Health and Safety in the Workplace implementation guide. Canada has adopted a set of voluntary guidelines for promoting mental health and preventing psychological harm at work. An implementation guide can be found at [https://www.mentalhealthcommission.ca/English/national-standard](https://www.mentalhealthcommission.ca/English/national-standard).

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The 20 Questions of Alcohol/Drug Abuse

1. Do you lost time from work due to drinking/using?
2. Is drinking/using making your home life unhappy?
3. Do you drink/use because you are shy with other people?
4. Is drinking/using affecting your reputation?
5. Have you ever felt remorse after drinking/using?
6. Have you had financial difficulties as a result of drinking/using?
7. Do you turn to inferior companions and environments when drinking/using?
8. Does your drinking/using make you careless of your family's welfare?
9. Has your ambition decreased since drinking/using?
10. Do you crave a drink/drug at a definite time of day?
11. Do you want a drink/drug the next morning?
12. Does drinking/using cause you to have difficulty sleeping?
13. Has your efficiency decreased since drinking/using?
14. Is drinking/using jeopardizing your job or business?
15. Do you drink/use to escape worries or trouble?
16. Do you drink/use alone?
17. Have you ever had a loss of memory as a result of drinking/using?
18. Has your physician ever treated you for drinking/using?
19. Do you drink/use to build up self-confidence?
20. Have you ever been to a hospital or institution (jail, etc.) because of drinking/using?

If you answered YES to any one of these questions, there is a DEFINITE WARNING that you have a problem with alcohol/drugs. If you answered YES to any two of these questions, the CHANCES ARE that you have a problem with alcohol/drugs. If you answered YES to three or more of these questions, you DEFINITELY have a problem with alcohol/drugs.

Depression Assessment

Has there been at least a 2-week period of time in which you experienced either depressed mood, or loss of interest or pleasure? Are you:

☐ feeling sad, empty and/or irritable?
☐ feeling a loss of interest or pleasure in activities or work you once enjoyed?
☐ experiencing changes in weight and/or appetite?
☐ having increased difficulty sleeping, or sleeping more than usual?
☐ experiencing increased restlessness?
☐ experiencing a decrease in level of activity noticeable to others?
☐ feeling more fatigued or less energetic?
☐ having difficulty concentrating, remembering or making decisions?
☐ feeling overwhelming guilt, hopelessness or worthlessness?
☐ thinking of suicide or death?

If you answered YES to the last item, you should seek help IMMEDIATELY (regardless of your answer to any other questions). If you answered YES to even a few of these questions, you may suffer from depression. You should get a professional assessment. The LAP will help.

If you need assistance, dial 877-LAP 4 HELP (877-527-4435)
Anxiety
The following self-assessment is distributed by the California LAP: According to the National Institute of Mental Health, “anxiety disorders, as a group, are the most common mental illnesses in America.” Anxiety is also one of the most successfully treatable mental health problems. If you are experiencing any of the following, please consult the Lawyer Assistance Program for confidential help.

- Have you had at least a six-month period in which you experienced constant, exaggerated, worrisome thoughts and tension about everyday routine life events and activities?
- Have you been trapped in a distressful and time-consuming pattern of unwanted thoughts or compulsive behaviors?
- Have you experienced or witnessed a traumatic event such as a criminal assault, child abuse, natural or human-caused disasters; after which you have had persistent nightmares, flashbacks, feelings of depression or irritability?
- Have you become distractible or easily startled?
- Have you experienced repeated episodes of intense fear that strike often and without warning? Physical symptoms can include chest pain, heart palpitations, shortness of breath, dizziness or abdominal distress.

Alcohol Abuse
A number of assessments are available for alcohol abuse. A commonly used scale is the Alcohol Use Disorder Identification Test (AUDIT), available at http://auditscreen.org. This was the test used in the large-scale study of lawyers published in 2016 titled The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys, available at http://journals.lww.com/journaladdictionmedicine/Fultext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx.

Depression
In academic research, the Beck Depression Inventory is most often used. But this lengthy scale isn’t needed in non-research, non-diagnostic settings. Other options for measuring depression include:

- Patient Health Questionnaire-9, available at https://www.integration.samhsa.gov/clinical-practice/screening-tools#suicide. This scale has been recommended for employers to use for regular depression screening. It measures depression and suicidal thoughts.
- The Depression Anxiety Stress Scales-21 (DASS-21), available at http://www.psytoolkit.org/survey-library/dass21.html. This scale was used in the 2016 lawyer mental health study referenced above.

Over-commitment (Workaholism)

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Assessments Tools

Satisfaction with Life Scale (SWLS)
This scale is free to use so long as credit is given to its authors. It can be found at: https://eddiener.com/. The most frequently-used measure of “happiness” is called Subjective Well-Being (SWB), which consists of the SWLS scale and one of the positive/negative emotion scales identified below. SWB was the measure of happiness used by Profs. Lawrence Krieger and Kennon Sheldon in their large lawyer well-being study: What Makes Lawyers Happy? A Data-Driven Prescription to Redefine Professional Success, 83 Geo. Wash. L. Rev. 554 (2015), available at: http://ir.law.fsu.edu/articles/94. Their calculation of SWB was: SWLS + (positive affect – negative affect).

Positive and Negative Emotions
Scales of positive and negative emotions can be used to track our “positivity ratio.” To stay mentally healthy, it’s good to aim for a 3:1 ratio of positive to negative emotions. The scales below can be used free of charge for non-commercial purposes so long as the authors are given credit.
- Positive & Negative Affect Schedule (PANAS) is one of the most popular measures of positive and negative emotions. The scale and explanatory manual are available at http://www.midss.org/content/panas-x-manual-positive-and-negative-affect-schedule
- Scale of Positive and Negative Experience (SPANE) is an alternative to the PANAS. It’s available at https://eddiener.com/scales/8.

Resilience
There’s no standard definition or measure of resilience. You can find a discussion of various options here: https://positivepsychologyprogram.com/3-resilience-scales/

Meaningful Work
One option for measuring the experience of meaningful work is the Work and Meaning Inventory (WAMI), available at http://www.michaelfsteger.com/wp-content/uploads/2012/08/WAMI.pdf. The scale is free to use for noncommercial research and educational purposes without permission.

Optimism
There are two dominant ways to measure optimism:
- Explanatory style using the Attributional Style Questionnaire (ASQ) (aka Explanatory Style Questionnaire), available on U Penn’s Authentic Happiness website: https://www.authentichappiness.sas.upenn.edu/testcenter.

A number of free well-being related self-assessments can be found on the University of Pennsylvania’s Authentic Happiness website in the Test Center: www.authentichappiness.sas.upenn.edu/testcenter

Assessments include:
- The Authentic Happiness inventory: Measures overall happiness.
- The Positive and Negative Affect Schedule (PANAS): Measures positive and negative emotions.
- The Center for Epidemiological Studies-Depression (CES-D) Scale: Measures depression symptoms.
- Optimism Test: Measures explanatory style.
- VIA Survey of Character Strengths
- Gratitude Survey
- Grit Survey
- Work-Life Questionnaire
- Meaning in Life Questionnaire

Total Well-Being
The Wellness Assessment, available at www.funforwellness.com, asks for your perceived progress on your best life in terms of important relationships, community where you live, occupation, physical health and wellness, emotional and psychological well-being, and economic situation.

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### Web-Based Resources

- **Georgia Attorney Wellness Task Force.** The Task Force started the “Lawyers Living Well” initiative and website, which includes activities and wellness resources, [https://www.gabar.org/wellness/about.cfm](https://www.gabar.org/wellness/about.cfm)

- **South Carolina Attorney Wellness Committee.** The Committee started the “Living Above the Bar” wellness initiative and website, which includes activities and wellness resources, [http://discussions.scbar.org/public/wellness/index.html](http://discussions.scbar.org/public/wellness/index.html).

- **SAMHSA-HRSA Center for Integrated Health Solutions.** A large collection of mental disorder, substance abuse, and well-being-related resources, [www.integration.samhsa.gov](http://www.integration.samhsa.gov).

- **Simon Fraser University Centre for Applied Research in Mental Health & Addiction.** Workbooks and other resources for depression and substance abuse, [www.sfu.ca/camha.html](http://www.sfu.ca/camha.html).

- **Guarding Minds at Work.** In 2013, Canada adopted the National Standard of Canada for Psychological Health and Safety in the Workplace—a set of voluntary guidelines, tools, and resources to guide organizations in promoting mental health and preventing psychological harm at work. This website collects resources to support the Standard, [https://www.guardingmindsatwork.ca/info](https://www.guardingmindsatwork.ca/info).

- **Therapist Aid Website.** Mental health-related worksheets & guides, [www.therapistaid](http://www.therapistaid).

- **The Wellness Network for Law.** Collection of resources related to lawyer well-being provided by an Australian-based group, [http://wellnessforlaw.com/about/](http://wellnessforlaw.com/about/)

- **Law School Wellness Project.** This is a website launched by Stanford Law professors to encourage collaboration and sharing of ideas and materials relating to law student and lawyer wellness, [law.stanford.edu/directory/joseph-bankman/wellness-project/#slnav-the-wellnesscast](http://law.stanford.edu/directory/joseph-bankman/wellness-project/#slnav-the-wellnesscast)

- **Dave Nee Foundation.** Non-profit focusing on law student depression and suicide, [www.daveneefoundation.org](http://www.daveneefoundation.org).

- **Patrick Krill Strategies.** The website of Patrick Krill, who led the 2016 study on lawyer mental health and substance abuse, provides helpful resources relating to those topics, [www.prkrill.com](http://www.prkrill.com).

- **Mindfulness-Based Stress Reduction (MBSR).** MBSR is a well-established, meditation-based stress management program developed by Prof. Jon Kabat-Zinn. MBSR resources can be found at [https://positivepsychologyprogram.com/mindfulness-based-stress-reduction-mbsr](https://positivepsychologyprogram.com/mindfulness-based-stress-reduction-mbsr).

- **Cognitive Reframing.** Mood Gym is a subscription-based online application created by academics to teach cognitive reframing—a key to resilience, [www.moodgym.com.au](http://www.moodgym.com.au).

- **Mental Health Apps.** The number of well-being-related apps is growing, including those targeting depression. *Science Daily* has a number of articles tracking the trend, e.g., *Smartphone apps can reduce depression*, [https://www.sciencedaily.com/releases/2017/09/170922090949.htm](https://www.sciencedaily.com/releases/2017/09/170922090949.htm), *New apps designed to reduce depression, anxiety as easily as checking your phone*, [https://www.sciencedaily.com/releases/2017/01/170105123102.htm](https://www.sciencedaily.com/releases/2017/01/170105123102.htm); *Use and effectiveness of mobile apps for depression*, [http://www.jmir.org/2016/12/e330/?utm_source=TrendMD&utm_medium=cpc&utm_campaign=JMIR_TrendMD_1](http://www.jmir.org/2016/12/e330/?utm_source=TrendMD&utm_medium=cpc&utm_campaign=JMIR_TrendMD_1).
<table>
<thead>
<tr>
<th>Lawyer-Specific Well-Being Books</th>
<th>Well-Being-Related Books</th>
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<tbody>
<tr>
<td>Heidi Brown, The Introverted Lawyer: A Seven Step Journey Toward Authentically Empowered Advocacy</td>
<td>Carol S. Dweck, Mindset: The New Psychology of Success</td>
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<tr>
<td>Kevin Chandler, The Lawyer's Light: Daily Meditations for Growth and Recovery</td>
<td>Barbara L. Fredrickson, Love 2.0: Finding Happiness and Health in Moments of Connection</td>
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<tr>
<td>Andrew N. Elowitt &amp; Marcia Watson Wasserman, Lawyers as Managers: How to be a Champion for Your Firm and Employees</td>
<td>Robert Kegan &amp; Lisa Laskow Lahey, Immunity to Change: How to Overcome It and Unlock the Potential in Yourself and Your Organization</td>
</tr>
<tr>
<td>Amiram Elwork, Stress Management For Lawyers: How To Increase Personal &amp; Professional Satisfaction In The Law</td>
<td>Alex Korb, The Upward Spiral: Using Neuroscience to Reverse the Course of Depression, One Small Change at a Time</td>
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<tr>
<td>Stewart Levine (Editor), The Best Lawyer You Can Be (compilation of chapters on lawyer well-being from multiple authors), forthcoming 2018</td>
<td>Sonja Lyubomirsky, The How of Happiness: A New Approach to Getting the Life You Want</td>
</tr>
<tr>
<td>Rebecca Nerison, Lawyer Anger and Anxiety: Dealing with the Stresses of the Legal Profession</td>
<td>Christine Porath, Mastering Civility: A Manifesto for the Workplace</td>
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<td>© 2017 Anne Brafford</td>
<td>Tom Rath, Are You Fully Charged?</td>
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<td>Tom Rath, Eat Move Sleep: How Small Choices Lead to Big Changes</td>
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<td>Karen Reivich &amp; Andrew Shatte, The Resilience Factor</td>
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<td>Martin E. P. Seligman, Learned Optimism: How to Change Your Mind and Your Life</td>
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<td>Emily Esfahani Smith, The Power of Meaning: Finding Fulfillment in a World Obsessed with Happiness</td>
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<td>Paul J. Zak, Trust Factor: The Science of Creating High-Performance Companies</td>
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Attorney Well-Being Resources

**Articles & Papers**

- Debra S. Austin (Law professor at University of Denver, articles available online)
  - *Drink Like a Lawyer: The Neuroscience of Substance Use and Its Impact on Cognitive Wellness*
  - *Food for Thought: The Neuroscience of Nutrition to Fuel Cognitive Performance*
  - *Emotion Regulation for Lawyers: A Mind Is a Challenging Thing to Tame*
  - *Got Stress? You May Be Harming Your Brain*

- Anne Brafford, *Building the Positive Law Firm: The Legal Profession at its Best* (Master’s Capstone), available at [http://repository.upenn.edu/cgi/viewcontent.cgi?article=1063&context=mapp_capstone](http://repository.upenn.edu/cgi/viewcontent.cgi?article=1063&context=mapp_capstone)


- Peter H. Huang (Law professor at University of Colorado, articles available online)
  - *Authentic Happiness and Meaning at Law Firms*
  - *How Improving Decision-Making and Mindfulness Can Improve Legal Ethics and Professionalism*
  - *The Zombie Lawyer Apocalypse*
  - *Authentic Happiness, Self-Knowledge and Legal Policy*
  - *Happiness in Business Law*
  - *Happiness 101 for Legal Scholars: Applying Happiness Research to Legal Policy, Ethics, Mindfulness, Negotiations, Legal Education, and Legal Practice*
  - *Can Practicing Mindfulness Improve Lawyer Decision-Making, Ethics, and Leadership?*

- Martha Knudson, *Building Attorney Resources: Helping Lawyers Succeed Through Psychological Capital* (Master’s Capstone), available at [http://repository.upenn.edu/cgi/viewcontent.cgi?article=1084&context=mapp_capstone](http://repository.upenn.edu/cgi/viewcontent.cgi?article=1084&context=mapp_capstone)


- Dwayne Thomas, *Channeling the River: Using Positive Psychology to Prevent Cultural Helplessness, as Applied to African-American Law Students* (Master’s Capstone), available at [http://repository.upenn.edu/cgi/viewcontent.cgi?article=1097&context=mapp_capstone](http://repository.upenn.edu/cgi/viewcontent.cgi?article=1097&context=mapp_capstone)

**Well-Being Technology**

- Treadmill desk
- Fitbit
- Spire Mindfulness Tracker
- Muse: The Brain Sensing Headband
- Pip (gives feedback about stress level)
- Bellabeat Leaf Health Tracker (activity, sleep, and stress tracker)
- Headspace app (meditation)
- 10% Happier app (meditation)
- Happy Tapper Gratitude Journal app
- Stigma: Mood Tracker & Journal app

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Anne Brafford is the Chairperson of the American Bar Association Law Practice Division’s Attorney Well-Being Committee and a member of the National Task Force on Lawyer Well-Being. She is a founding member of Aspire, an educational and consulting firm for the legal profession (www.aspire.legal).

In 2014, Anne left her job as an equity partner at Morgan, Lewis & Bockius LLP after 18 years of practice to focus on thriving in the legal profession. Anne has earned a Master’s degree in Applied Positive Psychology (MAPP) from the University of Pennsylvania and now is a Ph.D. student in positive organizational psychology at Claremont Graduate University (CGU).

Anne’s research focuses on lawyer thriving and includes topics like positive leadership, resilience, work engagement, meaningful work, motivation, and retention of women lawyers. She also is an Assistant Instructor in the MAPP program for Dr. Martin Seligman and, for two years, was a Teaching Assistant at CGU for Dr. Mihaly Csikszentmihalyi, the co-founders of positive psychology.

Anne’s overall goal is to help the legal profession live up to the best version of itself. Look for her upcoming book to be published by the American Bar Association’s Law Practice Division called *Positive Professionals*, which provides practical, science-backed advice on boosting work engagement for lawyers. Anne can be reached at abrafford@aspire.legal.