

Establishing a Foundation for Well-Being

Phase 1: Getting Started

Best Practices: Legal Professionals

*Prepared by The Utah State Bar's Well-Being
Committee for the Legal Profession*



WCLP Best Practices are adapted from the 2017 report from [The National Task Force on Lawyer Well-Being](#) and [The Well-Being Tool Kit for Lawyers and Legal Employers](#). Both are available online.



02

The Job at Hand

To be a competent lawyer, you also have to be a healthy one. Healthy lawyers are better practitioners, more productive, professional, and live more satisfying lives. Unfortunately, Utah lawyers are not doing as well as they should be when it comes to well-being.

A 2019 study of Utah lawyers reveals that too many lawyers experience chronic stress, burnout, high rates of depression, substance use, and a lack of social support from peers. These findings raise troubling implications for basic competence, continued public trust, and overall quality of life.

We can change this trajectory. The Well-Being Committee for the Legal Profession (WCLP) was created to help. Learning healthy lifestyle choices and foundational well-being skills and behaviors are good places to begin. This is Phase 1.





03

Legal Professionals: Phase 1

1

Understanding Well-Being & Why it Matters

Take the time to understand well-being, how it impacts your overall health, happiness, resilience, and professional competence, and begin to prioritize it in your daily life. See Appendix A for details.

2

Assess Your Own Well-Being Levels

Reviewing your own needs is an important first step to improving your overall well-being. The assessments in Appendix B are a good place to start.

3

Build Healthy Habits

Incorporate healthy behaviors into your life to support your increased well-being. There are many evidence-based skills and strategies to try. Appendix C has suggestions.

4

Seek Out Support

If things ever seem to be too much for you to handle, please seek out support. You are not alone. Contact information for services can be found at Appendix D.



Understanding Well-Being

There are some pretty big reasons why well-being matters. It's strongly correlated with professional success, higher cognitive ability, better memory, improved executive functioning, physical health and longevity, better relationships, lower divorce rates, resilience to stress, better perceptions of work / life balance, and a lower risk of developing the mental health and substance use concerns that too many of our colleagues face. Well-Being is also linked to civility and professionalism.

What is well-being? You can think of it as “a continuous process toward thriving” in all areas of our lives. This process is expansive. It involves developing the positive qualities, strengths, and life conditions that allow us to productively engage with our work and communities, enjoy what we do and be successful doing it, recognize our own potential, achieve meaningful goals, cope with the normal stress of life in healthy ways, and still have energy left over to enjoy the other parts of life.

Well-being will look a little different for each of us, but it includes our attention to the following six life dimensions:

Emotional: Recognizing the importance of emotions; developing the ability to identify and manage our own emotions to support mental health, achieve goals, and inform our decision-making; seeking help for mental health when needed.

Occupational: Cultivating personal satisfaction, growth, and enrichment in our work; obtaining financial stability. **Intellectual:** Engaging in continuous learning and the pursuit of creative or intellectually challenging activities that foster ongoing development; monitoring cognitive wellness.

Spiritual: Developing a sense of meaning and purpose in one's life.

Physical: Striving for regular physical activity, proper diet and nutrition, sufficient sleep, and recovery; minimizing the use of addictive substances; seeking help for physical health when needed.

Social: Developing a sense of connection, belonging, and a well-developed support network while also contributing to our groups and communities.

It is important to give attention to each of these dimensions. The way you function in one of them will impact your ability to function in others.



Assess Your Own Well-Being Levels

Taking time for self-assessment is important to building and maintaining well-being. Doing so helps you to slow down, identify, and pay attention to your own needs.

The following three evidence-based worksheets are designed to help get you thinking. They are intended for personal use and guidance purposes only, shouldn't be viewed as providing a diagnosis, and are not intended to take the place of a professional evaluation.

Worksheet 1: Rate your well-being across each of the 6 well-being domains.

Worksheet 2: Evaluate and create your personal well-being formula.

Worksheet 3: Learn potential warning signs and symptoms burnout and evaluate signs of when you're reaching your limits.



Examine Your Own Well-Being

Instructions

Using a scale of 1-10 with 1 being low and 10 being high, rate how you are doing in each of the 6 areas of well-being. Are there areas where you are doing well and could do even better? Are there others that might need some attention? Reflect on the activities, thoughts, relationships, situations, or environments that are making an impact.

Emotional

Score _____

- ☐ Are you aware of your emotions while they happen?
- ☐ Do you have a high level of positive emotions each day or are they more negative?
- ☐ Can you manage your emotions or is it easy for you to get carried away by them to where they strongly influence your thoughts and behaviors?
- ☐ Do you express your emotions in a respectful way? (This includes towards yourself.)
- ☐ Do you generally approach your work and life with optimism?
- ☐ Do you practice healthy coping skills?

Intellectual

Score _____

- ☐ Do you participate in ongoing learning and development in your professional and personal life?
- ☐ Do you often engage in mentally stimulating activities?
- ☐ Do you use creative ways to express yourself and/or your ideas?



Occupational

Score _____

- ☐ Do you look forward to working?
- ☐ Are you fulfilled by your work?
- ☐ Do you feel energized by your work?
- ☐ Are you proud of the work that you do?
- ☐ Are you satisfied with the direction of your career?
- ☐ Are you aware of your financial spending?
- ☐ Do you have the resources to stay financially healthy?
- ☐ Do you plan for your financial future?
- ☐ Do you feel secure about your financial future?

Social

Score _____

- ☐ Are there people in your life that you feel close to?
- ☐ Do you have people that you can reach out to when you need support?
- ☐ Do you actively engage in activities with others at work and/or in your community?
- ☐ Do you have a close friend at work?
- ☐ Is your work environment one of civility, respect, and high-quality connections?
- ☐ On a regular basis do you have fun or engage in some kind of play at work and/or in your life?



Physical

Score _____

- ☐ Do you eat a healthy diet?
- ☐ Do you sit during most of your day or do you get up often to move?
- ☐ Are you physically active for 30 minutes or more at least 5 days per week?
- ☐ Do you get adequate sleep?
- ☐ Do you take time to rest and recharge every day?
- ☐ Do you use alcohol or drugs to cope with stress?

Spiritual

Score _____

- ☐ Do you find meaning and purpose in your work?
- ☐ Do you find meaning in the events that occur in your life?
- ☐ Do you have a good sense of your values?
- ☐ Is the work you do compatible with your values?
- ☐ If others that you interact with have different values than yours, are you still able to treat them with respect?



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

Contributed by: Paula Davis-Laack, JD, MAPP

www.pauladavislaack.com | paula@pauladavislaack.com

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.)

Burnout: Signs & Strategies



Burnout

Burnout is a response to facing excessive job stressors over a long period of time. People who experience it often feel prolonged emotional or physical exhaustion, depersonalized or cynical about the value of their activities, and have uncertainty about their ability to perform well or find it difficult to do so. Maslach, Schaufelt, & Leiter, *Job Burnout*, 52 Ann. Rev. of Psychol. 397, 415 (2001).

Signs & Symptoms of Burnout

Burnout shows up differently for everyone. Some common signs include:

- ☐ Absenteeism
- ☐ Reduced job satisfaction
- ☐ Experiencing dread before work
- ☐ Decreased self-esteem
- ☐ Insomnia or trouble sleeping
- ☐ Decreased work productivity
- ☐ Physical or emotional exhaustion
- ☐ Impaired concentration and attention
- ☐ Irritability with clients or co-workers
- ☐ Withdrawal and isolation
- ☐ Suicidal thoughts
- ☐ Feelings of depression
- ☐ Feelings of anxiety
- ☐ Relationship problems both at work and at home
- ☐ Feeling detached from peers, clients, family, or friends
- ☐ Use of alcohol or other drugs, including prescription, to cope

Maslach, Schaufelt, & Leiter, *Job Burnout*, 52 Ann. Rev. of Psychol. 397, 415 (2001); Shanafelt et. al. *Burnout and satisfaction with work-life balance among US physicians relative to the general US population*. 172 (18) Archives of Internal Medicine 1377-1385 (2012)



Learn When You are Reaching Your Limit

Learning to pay attention to your own well-being needs can help you to prevent burnout. Think about the signs that pop-up for you when you're reaching your limit. Write them here: _____

Practice noticing when these signs come up. When they do, stop, take a break, and do something to care for yourself. Some helpful strategies can be found here in Appendix C. Resources are also available through the WCLP at www.utahbar.org/well-being/. More tools will be provided in Phase 2 of WCLP Well-Being Best Practices.

If you are experiencing symptoms of burnout, take action and get the support you need. Reach out to family, friends, a colleague, or a professional. Contact information for resources available to all legal practitioners may be found here in Appendix D.



Build Healthy Habits & Skills

The process of developing and maintaining well-being is broad and involves building skills, strategies, and resources across multiple areas of your life. It begins with making small daily changes. Over time, these positive changes can make a big difference. The following Phase 1 recommendations are considered by many to be foundational:

Increase Self-Awareness: Well-being is heavily influenced by our daily thoughts, our inner dialogue, and our emotional awareness.

Prioritize Physical Health: Proper physical activity, movement, nutrition, and sleep are essential to our physical, social, emotional, and cognitive well-being.

Build High-Quality Relationships: Healthy and supportive relationships are a critical component of our happiness, health, and resilience.

The following pages contain 5 Well-Being Worksheets with guidance, research, and hands-on activities to help build these competencies. Originally published as part of the [Well-Being Tool-Kit for Lawyers & Legal Employers](#), these resources are available for non-commercial use. Individual authors retain all rights and ownership.

Ready for More Tools?

There are many possible places to start when developing the skills and habits of well-being. The best entry point for you is what comes easiest. If one of these tools doesn't resonate, or you are already using them and are looking for more, additional resources are available on the WCLP web page by [clicking here](#). We also suggest checking out the [Well-Being Tool-Kit for Lawyers & Legal Employers](#).

More tools will also be provided in Phase 2 of WCLP Well-Being Best Practices.



How To Be Happier? Make it a Priority

Contributed by: Anne Brafford, JD, MAPP, PhD In Progress
abrafford@aspire.legal | www.aspire.legal

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 doable 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:

	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."

REFERENCES

Addis, M. A., & Martell, C. (2004). *Overcoming depression one step at a time: The new behavioral activation approach to getting your life back*. U.S.: New Harbinger Publications, Inc

Brafford, A. (2017). *Positive Professionals: Creating High-Performing Profitable Firms Through the Science of Engagement*. Chicago, IL: American Bar Association.

Datsu, J. D., & King, R. B. (2016). Prioritizing positivity optimizes positive emotions and life satisfaction: A three-wave longitudinal study. *Personality and Individual Differences*, 96, 111-114.

Diener, E., Emmons, R. A., Larsen, R. J., & Griffin, S. (1985). The Satisfaction with Life Scale. *Journal of Personality Assessment*, 49, 71-75.

Lyubomirsky, S., Sheldon, K., & Schkade, D. (2005). Pursuing happiness: The architecture of sustainable change. *Review of General Psychology*, 9, 111-131.

High-Quality Happiness Activities



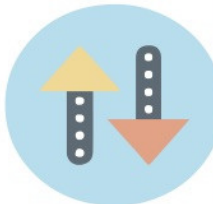
Connection & Belonging

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.



Do Acts of Kindness

Contributed by: Anne Brafford, JD, MAPP, PhD in Progress
 abrafford@aspire.legal | www.aspire.legal

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.

REFERENCES

Della Porta, M. D. (2013). Enhancing the effects of happiness-boosting activities: The role of autonomy support in an experimental longitudinal intervention. Dissertation Abstracts International: Section B: The Sciences and Engineering, Order No. AAI3518646, Retrieved from <http://search.proquest.com/docview/1426228539?accountid=14707>.

Lyubomirsky, S. & Layous, K. (2013). How do simple positive activities increase well-being? *Current Directions in Psychological Science*, 22(1), 57-62.

Lyubomirsky, S., Sheldon, K. M., & Schkade, D. (2005). Pursuing happiness: The architecture of sustainable change. *Review of General Psychology*, 9, 111-131.

Lyubomirsky, S. (2007). *The how of happiness: A new approach to getting the life you want*. New York: Penguin Press.

Otake, K., Shimai, S., Tanaka-Matsumi, J., Otsui, K., Fredrickson, B. (2006). Happy people become happier through kindness: A counting kindnesses intervention. *Journal of Happiness Studies*, 7, 361-375.



Practice Mindfulness to Boost Well-Being & Performance

Contributed by: Jon Krop, JD

www.mindfulnessforlawyers.com | jon@mindfulnessforlawyers.com

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](#).

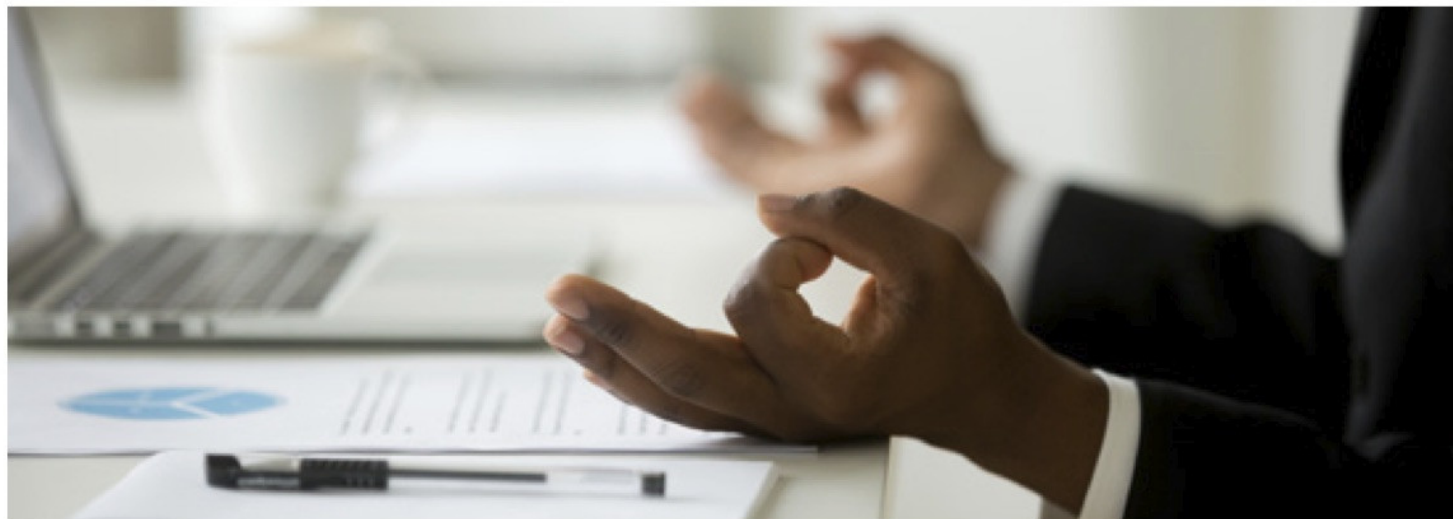
2. Find your anchor: Bring your attention to the sensation of air passing through your nostrils as you breathe. That sensation will help anchor you in the present moment.

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.

- 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."



1. Goyal, M., Singh, S., Sibinga, E. M., & Gould, N. F., et al. (2014). Meditation programs for psychological stress and well-being: A systematic review and meta-analysis. *JAMA internal medicine*, 174(3), 357-368; Chen, K. W., Berger, C. C., Manheimer, E., Forde, D., Magidson, J., Dachman, L., & Lejuez, C. W. (2012). Meditative Therapies for Reducing Anxiety: A Systematic Review and Meta-Analysis of Randomized Controlled Trials. *Depression and Anxiety*, 29(7), 545-562; Hofmann, S. G., Sawyer, A. T., Witt, A. A., & Oh, D. (2010). The effect of mindfulness-based therapy on anxiety and depression: A meta-analytic review. *Journal of consulting and clinical psychology*, 78(2), 169.
2. Bajaj, B., & Pande, N. (2016). Mediating role of resilience in the impact of mindfulness on life satisfaction and affect as indices of subjective well-being. *Personality and Individual Differences*, 93, 63-67; Campos, D., Cebolla, A., Quero, S., Bretón-López, J., Botella, C., Soler, J. ... & Baños, R. M. (2016). Meditation and happiness: Mindfulness and self-compassion may mediate the meditation-happiness relationship. *Personality and Individual Differences*, 93, 80-85; Addley, E. (2015, May 29). Planet's happiest human – and his app. Retrieved from <http://www.theguardian.com/world/2015/>



may/29/planets-happiest-human-and-his-app; Klimecki, O. M., Leiberg, S., Lamm, C., & Singer, T. (2012). Functional neural plasticity and associated changes in positive affect after compassion training. *Cerebral cortex*, bhs142.

3. Bao, X., Xue, S., & Kong, F. (2015). Dispositional mindfulness and perceived stress: The role of emotional intelligence. *Personality and Individual Differences*, 78, 48-52; Farb, N. A., Anderson, A. K., Irving, J. A., & Segal, Z. V. (2014). Mindfulness interventions and emotion regulation. *Handbook of emotion regulation*, 548-567; Mascaro, J. S., Rilling, J. K., Negi, L. T., & Raison, C. L. (2013). Compassion meditation enhances empathic accuracy and related neural activity. *Social Cognitive and Affective Neuroscience*, 8(1), 48-55.

4. Friesse, M., Messner, C., & Schaffner, Y. (2012). Mindfulness meditation counteracts self-control depletion. *Consciousness and Cognition*, 21(2), 1016-1022; Zeidan, F., Johnson, S. K., Diamond, B. J., David, Z., & Goolkasian, P. (2010). Mindfulness meditation improves cognition: Evidence of brief mental training. *Consciousness and Cognition*, 19(2), 597-605.

5. Colzato, L. S., Szapora, A., & Hommel, B. (2012). Meditate to create: the impact of focused-attention and open-monitoring training on convergent and divergent thinking. *Frontiers in psychology*, 3, 116; Greenberg, J., Reiner, K., & Meiran, N. (2012). "Mind the trap": mindfulness practice reduces cognitive rigidity. *PLoS one*, 7(5), e36206.

6. Stahl, J. E., Dossett, M. L., LaJoie, A. S., Denninger, J. W., Mehta, D. H., Goldman, R., ... Benson, H. (2015). Relaxation Response and Resiliency Training and Its Effect on Healthcare Resource Utilization. *PLoS ONE*, 10(10), e0140212. <http://doi.org/10.1371/journal.pone.0140212>; Hughes, J. W., Fresco, D. M., Myerscough, R., van Dulmen, M., Carlson, L. E., & Josephson, R. (2013). Randomized Controlled Trial of Mindfulness-based Stress Reduction for Prehypertension. *Psychosomatic Medicine*, 75(8), 10.1097/PSY.0b013e3182a34e5.

7. Forsyth, J. P., & Eifert, G. H. (2007). *The Mindfulness & Acceptance Workbook for Anxiety: A Guide to Breaking Free from Anxiety, Phobias & Worry Using Acceptance & Commitment Therapy* [Kindle]. Oakland, CA: New Harbinger Publications.

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

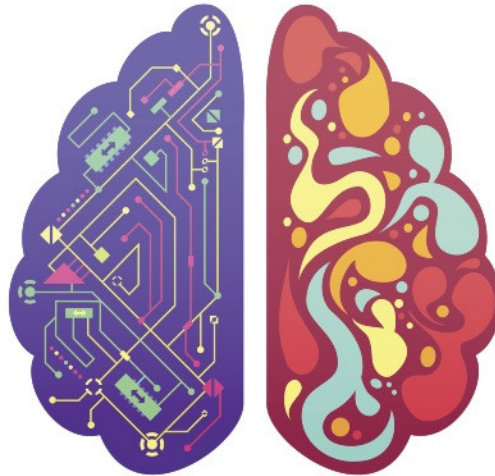
Contributed by Ronda Muir, JD

RMuir@lawpeoplemanagement.com | Law People Management LLC

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.

REFERENCES

Muir, R. (2017). [Beyond smart: Lawyering with Emotional Intelligence](#). Chicago, IL: American Bar Association.



Promoting Health, Vibrancy, & Flourishing Lives

Contributed by Elaine O'Brien, PhD, MAPP, CPT
Move2Love@gmail.com | www.ElaineOBrienPhD.com

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

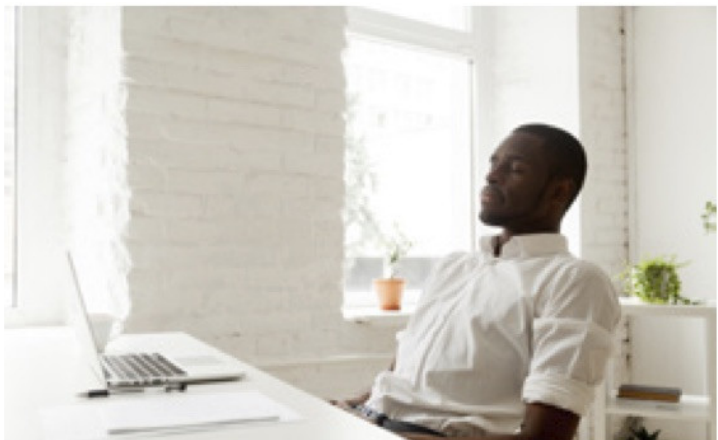
While being more physically active is essential for our health, so is calming the high physiological arousal that our stressful work often generates.

“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 associated 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/>

Redefining True Health Care: Inaugural Summit on Happiness Science in Health <https://positivepsychologynews.com/news/elaine-obrien/2018051038438>

O'Brien, E. (2014). Positive fitness, movement, and mindful breathing. In M. Snyder, Positive Health: Flourishing Lives, Well-Being in Doctors, (pp. 47-74). Bloomington, IN: Balboa Press.

O'Brien, E. (2016). Move2Love and Vibrancy: Community Dance/Fitness. *Women & Therapy*, 39(1-2), 171-185. Abstract.

Mutrie, N., & Faulkner, G. (2004). Physical activity: Positive psychology in motion. In P. A. Linley, & S. Joseph (Eds.), *Positive psychology in practice* (pp. 146-164). Hoboken, NJ: John Wiley & Sons.

Hefferon, K., & Mutrie, N. (2012). Physical activity as a "stellar" positive intervention. In E. O. Acevedo (Ed.), *The Oxford handbook of exercise psychology* (pp. 117-130). New York: Oxford University Press.

International Positive Psychology Association The Chronicle of Advances in Positive Health and Well-Being. <https://www.ippanetwork.org/divisions/healthdivision/health-and-wellness-division-publication/>

Aamodt, S., & Wang, S. (2007, November 8). Exercise on the brain. *New York Times*.

Levitin, D. J. (2008). *The world in six songs: How the musical brain created human nature*. New York: The Penguin Group.

Dr Ding Ding et al, The economic burden of physical inactivity: a global analysis of major non-communicable diseases, *The Lancet* (2016). DOI: 10.1016/S0140-6736(16)30383-X.

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**



Appendix D

Seek Out Support

If things ever seem to be too much for you to handle, please seek support. You are not alone.

Blomquist Hale Counseling

Services include marital and family counseling, help with stress, anxiety or depression, personal and emotional challenges, grief or loss, financial or legal problems, and assistance with substance abuse or addictions. Help is available in-person or by phone.

1-800-926-9619 | 860 E. 4500 S., Suite 202 SLC, Utah 84107

Blomquisthale.com | info@blomquisthale.com

Lawyers Helping Lawyers

Practicing law can be very stressful. If things ever seem to be too much for you to handle, LHL cares and can help. Please pick up the phone so that you might share with a friendly ear whatever issues you face and receive support and guidance.

Utah (801) 579-0404 | Toll Free (800) 530 - 3743

PO Box 4046 Salt Lake City, Utah 84101 | admin@lawyershelpinglawyers.org