

EQUIPOISE

N. (EK'WƏ POIZ') A STATE OF BALANCE, ENGAGEMENT AND WELL-BEING IN LEGAL EDUCATION



EQUIPOISE is the newsletter of the Association of American Law Schools Section on Balance in Legal Education

Editors: Alison F. Lintal, Michael Murphy, Chad Noreuil, Sonia M. Gipson Rankin, Sandy Tarrant

Message from the Chair

Rosario Lozada, Professor of Legal Skills & Values and Director of Well-Being in Law, Florida International University School of Law

Warm greetings to new and long-time members of our Section!

As composer, scholar, and activist Dr. Bernice Johnson Reagon observes, “*Life’s challenges are not supposed to paralyze you; they’re supposed to help you discover who you are.*” When it comes to the work of this Section during a year of ongoing challenges, that is certainly the case: we continue to discover who we are *and* our potential to enhance and transform legal education.

Since receiving the AALS Section of the Year Award in January 2021 for our contributions under the leadership of past-chair Jarrod Reich, our Section has remained engaged at the highest level. Amid the continuing uncertainty and the trials of living and teaching in this time, our Section’s engagement gives us countless reasons for hope and gratitude, as we continue to investigate, discover, and inspire

practices that support the well-being of law students and lawyers.

As many of you know, the ABA is considering revisions to the Standards for Legal Education that recognize the significance of *developing a professional identity, cultural competence, bias awareness, and well-being practices*—all of which are essential to the ethical, healthy, and successful practice of law. (For more on the proposed revisions, please read Dean Janet Stearns’ column in this newsletter.) In 2021, building on these critical concepts, the Executive Committee and the Section’s membership generated innovative *projects and programs*, created multiple opportunities for transformative *collaboration and community-building*, and laid the *foundation for the year ahead*.

A Growth Mindset. We kicked off the year at the AALS conference with a program that re-evaluated legal education through the

lens of a growth mindset. Our panelists explored ways in which a growth mindset can help cultivate autonomy, relatedness, and self-efficacy among law students—all essential traits for resiliency and success.



Well-Being. We launched a six-part series on well-being in law school. At each session, presenters highlighted innovative approaches to promoting well-being practices in and out of the classroom. Attendance at each session regularly exceeded 90 participants. And, thanks to AALS Sections Services Manager

Clarissa Ortiz, our website is a repository of the teaching tools, resources, and recordings generated by our gifted presenters. (Visit "[compendia](#)" at our website.)

Professional Identity and Bias. In October, our Section convened scholars and thought leaders to explore professional identity development, individual and systemic bias based on racial and other identities, and strategies to mitigate how bias impacts legal education and the practice of law.

Teaching in Uncertain Times. Our 2022 AALS Conference Program—*The Power of Now: A Mindset for Teaching in Times of Uncertainty*—brings together panelists who will examine legal education in this unique time in our history, and offer innovative solutions, as we continue to face an ongoing global pandemic, social unrest, and growing awareness of racial injustice and the racial fissures in American society.

Meetings and Networking Sessions. The Executive Committee and the sub-committees met regularly on Zoom; at each meeting, we reconnected, re-fueled, dreamed big, and networked while generating new ideas and following up on existing projects. And thanks to the dedication, expertise, and enthusiasm that are hallmarks of our Section, proposed projects evolved from ideas to reality. With each group interaction, we strengthened our community of well-being advocates.

Scholarship. We expanded our rich repository of articles on critical issues of well-being, as featured in this newsletter. (And this newsletter itself is the result of yet another collaborative

effort that required countless hours of service.)

Revisions to the ABA Standards for Legal Education. When the Council on Legal Education invited public comment on [proposed revisions](#) to the standards corresponding to curriculum and student services, Section members actively contributed to the dialogue; we collaborated with other professional organizations and groups to identify language that would improve the proposed revisions, consistent with our mission. In addition, multiple Section members submitted individual comments to the Council. We are optimistic that the revised standards will enhance the lives of law students—future lawyers who will go on to serve their clients, their communities, and the profession.

Recognition for Outstanding Contributions to Well-Being in Legal Education. The Section created the first annual award to recognize an individual who models Section ideals, develops innovative programming that integrates this work into curricular or co-curricular offerings, contributes to academic scholarship in the field, and regularly contributes to the Section, their law school, and the legal community by providing access to well-being programming or services. The award will be presented in January 2022 at the AALS annual conference.

Partnerships with Other Sections. At the 2022 AALS Conference, we join the Sections for Law School Deans, Clinical Legal Education, and Leadership to co-sponsor a program of the Section for Pro Bono and Public Service

Opportunities—*Prioritizing Public Service in Your Role as Dean: Why It Matters*.

A New Section Name. Our Section has a new name: **Section for Balance & Well-Being in Legal Education**. This change reflects our Section's commitment to the well-being of law students and lawyers since the Section was chartered in 2007, to improve "legal education and the legal profession in ways that will promote personal well-being, optimal performance, and professional values." Many thanks to the Executive Committee for its hard work on this name change, which will be reflected on the AALS website immediately after the annual meeting in January 2022.

New Leadership. As I write this message, members of our Executive Committee are hard at work honing the process through which next year's Executive Committee will be selected to serve under the leadership under Chair-Elect Leah Terranova.

Save the Date. Please calendar these AALS conference programs: *The Power of Now: A Mindset for Teaching in Times of Uncertainty*, January 5, 11 a.m. to 12:15 p.m.; *Section Networking Session*, January 5, 2 to 3 p.m.; and *Prioritizing Public Service in Your Role as Dean: Why It Matters*, January 8, 12:35 to 1:50 p.m.

In closing, I express my deepest gratitude to each of you. You are leaders. You are experts. You are innovators. You are givers. You are light. And you are forever saved in my smartphone contacts. Serving as your Section Chair has been an honor, a privilege, and a gift.

With appreciation,

Rosario ("Rosi") Lozada

P.S. Leah, Chad, and Jarrod: I could not have served without your guidance and support. Thank you.

2021 AALS Section on Balance in Legal Education

Executive Committee

Rosario Lozada, Chair
Leah Terranova, Chair-Elect
Chad Noreuil, Secretary
Jarrod Reich, Immediate Past Chair

Regular Committee Members

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Megan Bess
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Tamar Schwartz
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Section Member Volunteers Serving on Standing Committees

Janice Craft
Natalie Netzel
Laurel A. Rigertas
Sandy Tarrant

GREAT NEWS!

The AALS Section on Balance in Legal Education is changing its name! As of January 2022, we will be

AALS SECTION ON BALANCE & WELL-BEING IN LEGAL EDUCATION

This newsletter is a forum for the exchange of points of view. Opinions expressed here are not necessarily those of the Section and do not necessarily represent the position of the Association of American Law Schools.

Balance Section Scholarship Update

Members of the AALS Section on Balance in Legal Education continue to produce groundbreaking scholarship around wellbeing and diversity in legal education and the legal profession. The newly updated Balance Section Scholarship Bibliography is [available here](#). As our ever-expanding bibliography demonstrates, the Balance section counts among its members early leaders and innovative voices in the call for humanizing the profession.

Do you have scholarship to add to our list? Please email Megan Bess at mbess@uic.edu with a cite to your piece(s).

"I shouldn't bring an umbrella to a brainstorm."

Ted Lasso



Please Become a Member of the Section

Section membership is open to faculty and professional staff of AALS membership schools; others may join as associate members. If you have access to the AALS website, the easier way to become a member of the Section is to register there. Otherwise, please contact the AALS National Office at (202) 296-8851 or aals@aals.org, and indicate your interest in joining the Section. If you become a member of the Section, you will automatically receive announcements of Section activities sent through the AALS communications platform. This is the most reliable method to assure that you are aware of upcoming Topic calls, programs, newsletters and other initiatives sponsored by the Section. We encourage any member of the Section who would like to become more involved in the Section activities to contact any member of the Section's executive board.

Virtual 2022 AALS Conference – *The Power of Now: A Mindset for Teaching in Times of Uncertainty*

January 5, 2022 11:00am - 12:15pm



Main Program (January 5, 11:00am - 12:15pm):

The Power of Now: A Mindset for Teaching in Times of Uncertainty.

The 2020-2021 academic year was an unprecedented time. Legal educators grappled with the multi-faceted implications of COVID-19 while simultaneously grappling with a racial reckoning. Presenters will discuss the psychological impact of our abrupt shift to virtual education, including issues related to isolation and stress, compassion fatigue, and increased workloads. Panelists will examine the weaknesses that these pandemics have revealed while simultaneously revealing areas of strength and opportunities for improvement in legal education, particularly those designed to generate a growth mindset and to promote inclusivity, mindfulness, and self-efficacy in students.

Panelists:

- Brenda D. Gibson, Associate Professor of Legal Analysis, Writing, and Research, Wake Forest University School of Law
- Amanda M. Fisher, Visiting Professor, Western Michigan Univ. Cooley School of law
- Jacqueline Freeman, Director of Pre-Enrollment Programs and Diversity, Western Michigan Univ. Cooley School of law
- Yolonda Sewell, Association of Academic Support Educators, Vice-President of Diversity

Section Networking Session: January 5, 2:00 - 3:00 p.m.

Prioritizing Public Service in Your Role as Dean: Why It Matters, January 8, 12:35 - 1:50 p.m.

**Schedule is current as of November 11, 2021 and is subject to change.*

LAWYERS CONCERNED FOR LAWYERS MA

Q&A with Rachel Casper, Director of Strategic Operations and Marketing

By Rachel Casper and Sandy Tarrant, Associate Clinical Professor at Boston College Law School



What is the mission of LCL MA?

Formally stated, our mission is “to promote well-being and resilience in the legal community, improve lives, nurture competence, and elevate the standing of the legal profession. To fulfill this mission, we provide free and confidential mental health resources, addiction recovery support, and practice management services.”

Are there organizations like LCL in other states?

Most states have one, known as a “Lawyer Assistance Program” or “LAP.” In Massachusetts, LCL is an independent nonprofit organization, but some LAPs exist as part of bar associations or judiciaries. The range of programming and services varies; few also operate their state’s LOMAP (“Law Office Management Assistance Program”) as we do. [A listing of LAPs is available from the ABA here.](#)

What types of programming do you offer?

Our programs focus on attorneys and law students, but we also support law faculty, schools, judges, and family members of attorneys.

We offer individual consultations with our clinicians and practice advisors, as well as support groups such as Solo Stress, ADHD, Immigration Lawyers, SuperMom, Professional Conduct, and Job Search.

We’ve been offering weekly yoga for almost a year and continue to run peer support meetings for addiction recovery, which are the first services LCL MA started offering over 40 years ago.

Our program collaborations with legal employers, bar organizations and law schools include support groups for

first generation law students, for learning disabilities, and anxiety. Staff clinicians hold “office hours” at law schools, and students can also book appointments any time. We host regular discussion group meetings open to the deans of students of all the Massachusetts law schools.

Through Mass LOMAP, we run programs related to law practice startup and operations. We also have a popular ongoing monthly series called Webinars for Busy Lawyers, which share practical tips for solo & small firms on legal tech, marketing, mindset, and more -- all in under 30 minutes.

How has the programming has changed over time to now include wellness?

We’ve always been committed to lawyer well-being, and have expanded our support over the years. When LCL MA formed in 1978, it was a membership association exclusively for lawyers seeking addiction recovery, particularly from alcohol. In 1987, we received funding through our Supreme Judicial Court Rule to serve all lawyers and legal professionals in Massachusetts and began providing clinical services for more comprehensive mental health support. In 2007, we started Mass LOMAP, particularly for solo and small firm lawyers who need business advice to address the sources of their problems.

We’ve started serving individuals who don’t necessarily identify as having a mental health concern but recognize that their mental health could be better, which also seems to have a destigmatizing effect on seeking therapy.

In addition to a mindfulness series and ongoing weekly yoga, we’ve offered webinars and other programs on topics like sleep, boundaries, self-compassion, resilience, and mindfulness tools for parents in the profession.

We encourage legal employers and other stakeholders to foster

environments that better support lawyer well-being. Fortunately, in Massachusetts and other states, the judiciary is using its influence to push for positive change. Here, our SJC Standing Committee on Lawyer Well-Being was formed in January 2020 in response to wellbeing concerns. We’re grateful to work closely with its director and to see results already -- with legal employers, courts, law schools, and other stakeholders engaging in creative solutions that support well-being in the legal profession.

What is your sense of wellness in the legal field right now?

Unfortunately, data showed it was declining as of earlier this year with obvious reasons related to the pandemic and increasing burdens on the legal profession.

The positive side is that seeking therapy is less stigmatized. We’re seeing a shift in the Massachusetts legal community as leadership increasingly supports seeking mental health and well-being services, which is key for lawyers worried about licensure.

How can attorneys, law students, faculty and schools participate in your programming?

Our website has most everything at LCLMA.ORG. We have a [group listing](#); we have a [blog](#) sharing news and updates, including our new programs; and we have an [events calendar](#) that also features programs from other local and national entities. We also offer customized webinars, presentations and trainings; topics can include both professional and mental health and well-being strategies.

Is there anything else you want our membership to know about LCL?

I’d just add how eager we are to collaborate and help further. We love working closely with the Massachusetts law schools and are happy to share insights about our collaborations with anyone interested in starting similar work in other places.

Rachel Casper can be reached at rachel@masslomap.org (617) 482-9600

Baseball & Balance: A Case Study in Advocating for Institutional Change

By Janet Stearns, Dean of Students at University of Miami School of Law



I have been on a quest over the past few years to transform the legal academy through revisions to the ABA Accreditation Standards for Law Schools. These ABA Standards create a baseline for each of the accredited law schools (currently numbering 199 plus one provisional law school.) The Standards are thus an important tool to transform the legal academy. Many dedicated individuals worked tirelessly to strengthen the proposed revisions, and I note with gratitude that many of them serve on the Executive Committee of this Section. If you are new to the Section or to pondering the role of these Standards in our legal regulatory structure, I encourage you to visit [website](#) for background on ABA Section of Legal Education and Admissions to the Bar.

The Journey to First Base

Each year the Council reaches out to stakeholders to solicit ideas and recommendations for revisions to the ABA Standards. As Chair of the Law School Committee of the ABA Commission on Lawyer Assistance Programs (COLAP), I received a copy of the Council's letter in summer 2018. Following an extended series of conversations with my

longtime friend and collaborator David Jaffe, Associate Dean of Student Affairs, Washington College of Law, we submitted a letter to the ABA in October 2018 on behalf of the COLAP, the ABA Law Student Division, and the National Task Force on Lawyer Well-Being, requesting that several standards be amended. We had three "asks" in our letter. We particularly hoped for mandatory substance use and mental health education in law school (Section 303), but also discussed articulating well-being as fundamental learning outcome (Section 302) and ensuring that access to substance use and mental health counseling be provided under the student services listed in Section 508.

As fate would have it, at the end of that year, the Council acknowledged our letter, but we did not make the cut on the agenda. (Strikeout). In Summer 2019, we again received the request from the Council, and again submitted the nearly identical letter recommending revisions. No action. In Spring 2020, as the world was spinning fast into the pandemic, the Council again solicited ideas for revisions. On June 26, 2020, we submitted an updated letter requesting the integration of well-being into the Standards.

As one of my many "gifts" of the pandemic, 2020 was a time when the world was significantly more open to a conversation on professional well-being. The Council took note. In October 2020, the Council hosted a roundtable discussion program among key stakeholders to clarify and discuss proposals for change. David Jaffe represented COLAP at that program and reported that there seemed

significant interest in taking some action.

On February 3, 2021, at the Virtual ABA Mid-Year Meeting, the Standards Review Committee proposed to the Council draft language relating to Sections 303 and 508 that would articulate both lawyer well-being and professional identity formation. Sadly, they passed on our desired Section 302 course requirement. The recommended proposals were circulated for notice and comment.

Heading to Second Base: Notice & Comment Period

March 2021 was a whirlwind of activity. We had but one month to generate support through written comments on the proposals for Sections 303 and 508. The language in the draft required some substantial editing. Space will not allow for a detailed analysis for the first draft here, but I encourage you to read the [forty comment letters](#) (including those authored by many members of this Section) that were submitted and are publicly available, including our ABA letter. While nearly all of these comments supported the proposals, there were several different categories of letters. You will see a group from the constituency primarily focused on professional identity formation, and another group from those more deeply focused on well-being. The MVP award goes to Maura DeMuoy, Director of Academic Success and Title IX Coordinator at Georgetown Law, who brought the two communities together with some skillful mediation to some consensus language that we could jointly support. We also have a group of thought leaders, including Rosario Lozada and Larry Krieger of this Section, who argued in their comments that this proposed language did not go far enough in tackling well-being in law schools. I agree with them. But together we built a strong record of support that *something* needed to happen in 2021.

The Council was scheduled to meet again on May 14, and our hope was that there would be a report to the House of Delegates for the August Annual Meeting of the ABA. However, on May 7, the Council announced another set of proposed standards to Standards 205 and 206 relating to critical issues of [diversity, equity and inclusion](#) (DEI). At the May meeting, the Council reviewed the comments received on 303 and 508, adopted some critical updated language on both including the new professional identify/well-being proposal, but then sent the entire package (including the new DEI proposals) back for another comment period. We were somewhat frustrated by the delay but pushed on.

Stealing Third: Second Round of Comments

The deadline for the next round of comments was June 28. Thirty-nine comments were submitted. The vast majority addressed concerns about Standard 206 and the DEI proposals. Most comments were generally in agreement with the rest of the package. You will see a passionate [letter from Attorney Kent Halkett](#) arguing for a more ambitious agenda on mental health in law schools. On August 20, the Council reconvened to review the comments. They unanimously supported the package of proposals, other than Standard 206 which is now being redrafted in light of the comments received.

Home Base in Sight

As I write, we are nearing home base, with a consensus set of proposals that will incorporate professional identity and well-being practice into the ABA Standards for the first time. These proposals now must be voted on by the ABA House of Delegates at the Mid-Year Meeting, which is scheduled

for February 9-15, 2022, in Seattle. Countless members of this Section and other allies and thought leaders in our profession have played critical roles in this project and continue to reach out. Communicating with ABA leadership our support for this package remains mission critical. Once adopted, these new standards will provide increased leverage and ensure long-term institutional commitment to achieving our goal of balance in the legal academy. We can get there, together.



Photo by Steshka Willems from Pexels

“TAKING ON A CHALLENGE IS A LOT LIKE RIDING A HORSE, ISN'T IT? IF YOU'RE COMFORTABLE WHILE YOU'RE DOING IT, YOU'RE PROBABLY DOING IT WRONG.”

➤ TED LASSO

THE STRESS IS REAL

By Verónica C. Gonzales-Zamora, Assistant Professor, University of New Mexico School of Law & Lysette Romero Córdoba, Assistant Professor, University of New Mexico School of Law



The physical and mental impacts of chronic stress.

Migraines, stomach aches, depressive-like symptoms, chronic fatigue, and weight gain were among the many symptoms people experienced in response to the global pandemic. But why? Doctors did not attribute those symptoms to communicable diseases. Rather, scientists all over the world have centered their conclusions around a single underlying factor: chronic stress.

Pre-pandemic, attributing physical symptoms to stress might have seemed like a cop-out or a catch-all that meant doctors had no idea and had given up exploring an underlying cause. What scientists know now is that stress causes a biological reaction in our bodies aimed at returning the body to homeostasis. For example, if quick reflexes are required to avoid a car accident, the body will conserve energy in non-necessary systems at that moment (such as digestion) and send all of the energy to the muscles, eyes, and brain. You may recognize this as the fight-or-flight response to stress.

Recent scientific research recognizes that there are, in fact, more complicated biological processes that mediate and regulate our internal processes. It also recognizes a broader type of “threat” beyond those that are physical. Other examples of threats include schemas such as whether we believe we can survive and environmental threats such as pollution. These corrective processes in the body are meant to be temporary responses to temporary threats.

Over time, however, prolonged stress responses can cause the corrective process to become a threat itself. For example, being in a heightened state of alertness over a prolonged time causes one to experience the same heightened state even when no threat is present, eventually leading to anxiety-like symptoms. Importantly, scientists equate the impact of chronic stress on mortality with that of chronic smoking or obesity.

The individualized and invisible experience of stress.

When the pandemic turned lives upside down beginning in March 2020, the shift from working parent to full-time parent-who-also-works complicated an already tenuous balancing act for parents everywhere. As day care centers and schools closed, parents quickly felt the impact. We heard colleagues lament and worry about their work and home responsibilities, which now felt like too much to handle. We formed support groups and did our best to survive and help others do the same. At the same time, we began to struggle with a variety of health issues that we had never had before. An MRI, ultrasounds, CT scan, blood work, and several appointments later, the doctors said there was nothing wrong.

To colleagues who did not know us well, it appeared that everything was okay. We were on top of things, for the most part. We taught classes and attended events via Zoom. What we did not realize until later was that others were also quietly suffering. We learned that, like us, some people were struggling to care for relative children or their parents, and to understand new conditions that they developed during the pandemic. We realized that the stress of having to do it all while also living with the fear of contracting COVID had begun to manifest itself physically in us and in others with similar stressors in their lives. We knew that manifestations of stress were an individual experience based on life experiences, vulnerability to burnout, access to support, and more. What we learned during COVID is that although the impact of stress can manifest as changes in mood or physical ailments, the experience of stress is often invisible. It is more so when we are physically distant.

The employer and employee balance.

In thinking about a post-pandemic balance, work-life balance must necessarily include the employer-employee balance. We would be remiss if we did not acknowledge the additional external, work-related factors that contribute to stress. Employer wellness days, CLEs on work-life balance, and vacation days are not enough to mitigate the impacts of chronic stress. In fact, the push for self-care is too often an

The global pandemic forced many to consider their own fragility, mortality, and vulnerability. For the first time, parents thought about who they would want their children to live with if they were to die. Others considered what they might want their funeral services to be like should COVID claim their lives prematurely.

The possibility of dying from a respiratory illness within a matter of weeks was a fear so many of us grappled with in the past year and a half. This fear and others associated with the pandemic compounded the stress of everyday life and made it difficult to shift the focus away from the possibility of dying to the reality of living despite the uncertainty of it all. Understanding the impacts of chronic stress, the individualized and invisible experience of stress, and the contributing factors to stress must inform how we shape a post-pandemic life.

indication of just how out of touch employers are with the realities their employees face. Employers must not simply pay lip service to the idea of each person being responsible for their own mental health, but actually do things to help their employees. External threats such as time pressures, high workload, and too many tasks to complete in a finite amount of time are all causing prolonged biological stress responses. Living and working under

stressful conditions can cause people to adopt health-damaging behaviors such as not getting enough sleep, reducing or avoiding exercise, avoiding seeing friends and family, eating more calories than needed to fuel the body, and more.

It is through these low-level and high-level experiences of stress all day long, both visible and invisible, that we are slowly ensuring our mortality is hastened and longevity is shortened.

We must value time outside of work, and prioritize health and wellness, for ourselves and for others. Only when we move from “managing stress” toward “minimizing stress,” without pandemic conditions, can people honestly consider what to do if they were to *live*.



The Illusion of Work/Life Balance

By John Hollway, Associate Dean and Executive Director of the Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Law School

It's no secret that practicing law has always been demanding. Lawyers experience rates of depression, loneliness, anxiety, substance abuse, and tragically suicide that are all out of proportion to other professions and to society at large. As a professor at a law school who works with law firms on well-being issues, I am asked often by law students and lawyers alike about work/life balance. Those questions, and the fear that the practice of law is incompatible with a life of happiness and thriving, have become even more difficult to answer as technology, globalization, COVID, and other changes blur the lines between our work and our non-work hours.

For the most part, law firms have responded by throwing money at the problem, primarily in the form of associate salaries along with the occasional “wellness program” (typically consisting of spa rebates, access to yoga and meditation and

some sort of group fitness challenge). Law schools have often responded with silence. Neither of those strategies has proven to be particularly thoughtful.

Thankfully, new approaches are emerging, as more and more firms realize that money doesn't prevent burnout, and as law schools expand their curricula to provide practical tools for careers alongside Torts and Contracts. At Penn Law, for example, we weave well-being into our professional skills curriculum, as well as our Professional Responsibility course, and I teach a full-semester course on Positive Psychology in Legal Practice that seeks to help our students create their own definitions of “well-being” and “thriving” within the practice of law.

I was discussing the issue of work/life balance with Jami McKeon, the Chair at Morgan Lewis. (Full disclosure: Jami and I

have this discussion often because we are married. To each other.) As the Chair of one of the largest firms in the world – and the largest led by a woman – Jami is asked “how do you find work/life balance?” all the time. Her response has literally changed my life.



Jami says, “Look, there's no such thing as work/life balance. There's

only LIFE. And the question you need to answer is what role does your job or your career play in the life that you want to lead?" Thinking of your job as a facet of your life, instead of thinking of your life as something you do when you're not working, fundamentally transforms the conversation we have with ourselves. And it provides a couple of important insights.

Insight 1: We choose our path.

First, thinking of your job as part of your life rather than vice versa confers *agency* upon each of us to define our paths in the law. We have a choice about what jobs we pursue. Many of my students feel that they have to be in Big Law to be successful – but that's only if success to them means "a career in a large law firm." What if success is something other than that? My career started with practice in a big firm for two years, before a series of jobs in different parts of the health care system, and working for the past eight years in academia and criminal justice reform. I'm 50 now, have loved every job I've had, and still don't know who I'll be when I grow up. We all have the agency to choose our next job, and follow different opportunities that match our needs as the other parts of your life unfold.

The fact that we have agency doesn't make the decisions – or the work – any easier. In fact,

sometimes when we can do anything, choosing a path actually becomes harder. But when we realize that the tail of work doesn't have to wag the dog of life, and that we have choices, we open the door to the possibility of improving our situation, and getting closer to a life of thriving within a career in the law.

Insight 2: Engagement provides clues to improving our path.

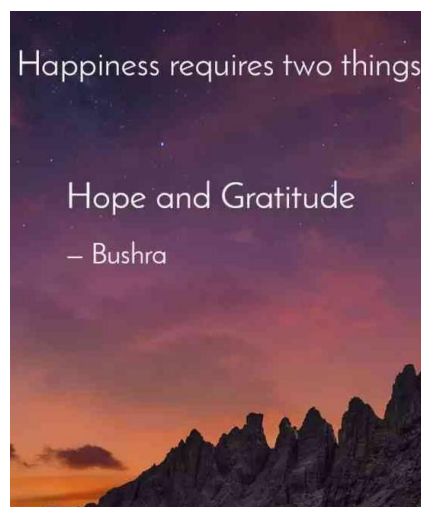
How do we know what path to choose? Here, consider the concept of *engagement*. Organizational psychologists describe engagement as the feeling we get when our job generates energy in us. It's the opposite of burnout, the combination of being overwhelmed and hopeless that causes people to leave the profession. When we are engaged in our work, we feel that we have the resources necessary to do our job well, we enjoy our work and we feel that it has usefulness for ourselves and for others.

Engagement is actually a pretty easy equation. In all aspects of our lives, we have Resources – things that give us energy (like our children) and Demands – things that sap our energy (like our children). If (Job Resources – Job Demands) + (Personal Resources – Personal Demands) > 0, our resources outweigh our demands and we are engaged. If the same equation is less than zero, we are

losing energy and on the path to burnout.

This definition of engagement is at the core of work/life balance, because it represents the reality that our personal needs impact our ability to perform at work, and our work needs impact our ability to be fully present in other parts of our lives. The reality of COVID has presented some stark examples of this overlap, as anyone with school age children has experienced. But it has also provided some opportunities, as anyone who hasn't missed their daily commute can attest.

The engagement equation is not static, and can be constantly modified. In the present moment, considering how COVID has changed the way you approach work may yield important insights into your ranking of Personal and Job Resources and Demands, and may help you reconceive how you want work to fit into life. So assemble your current engagement equation, and consider which of your Resources and Demands are variables, and which are constants. Discuss the variables with family, friends, and colleagues at work, and decide where you want to make changes. Because there's no such thing as work/life balance – there's only life. And you hold the key to it.



The Essential Law School Survival Tool

By Chad Noreuil, Clinical Professor of Law at Arizona University College of Law

With all of the stress and technological stimulation our students go through, I'm always looking for a way to slow them down and refocus their perspective. At the end of every class I share with my students a short "Two Minutes of Zen," and one of the more popular ones seems to be what I call, *Law School . . . One Breath at a Time*. Here is how it goes:

Your breath is, quite literally, the most important aspect of your life. Without breath, there would be no life: yet, the breath is one of the things too often taken for granted. We rarely pay attention to our breath, but conscious breathing has numerous benefits—especially when navigating the rigors of law school. (Note that these tips could just as easily apply to overworked law school professors.)

Foremost, taking focused, deep breaths has numerous health benefits. Deep breathing stimulates the parasympathetic nervous system, which helps to reset and recharge your energy. Additionally, taking deep breaths helps to deliver bursts of fresh oxygen to the body's tissues and organs—especially the lungs. Research shows that focused, deep breaths can lower your heart rate, lower your blood pressure, and promote healthier digestion.

Deep breathing also sends fresh oxygen to the muscles, allowing them to relax. You probably don't even realize the tension you hold in your shoulders and neck as you move throughout the day—especially when hunched over and reading hours upon hours of cases. Taking deep breaths allows these muscles to fully relax. Try it and you will notice the soothing, sinking feeling in your upper body—and

your neck and shoulders will thank you for the tension release.

Intentionally taking deep breaths can also produce a calming effect on your mental health. Conscious breathing—deliberately being aware of inhaling and exhaling—brings you into the present moment. Being present instantly lowers your stress level because it prevents you from being upset about the past or anxious about the future. In this regard, your breath plays a key role in your ability to combat stress and relax. Generally speaking, most stress originates from your thoughts, and when you focus on your breath, you are able to check out of those sabotaging thoughts.

Your breath can also be a key factor in "resetting" your day. It often seems that if you start off having a bad day, things snowball and more and more negative things pile up. When this happens, your anxiety can spike, your heart rate can increase, your palms can get sweaty, and you can lose your ability to focus. But this is an easy phenomenon to check out of: you can physiologically reset your system (and your entire day) by pausing and taking six deep breaths.

Literally, if you just close your eyes and take six deep inhales and exhales, you can reset your system, your day, and your mindset. This should only take about one minute (which is about five seconds for each inhale and five seconds for each exhale). Once you have reset your system with deep breathing, you're now in a position to choose better feeling thoughts to regulate any stress you had been experiencing.



On a related note, you have probably noticed that you have many types of breathing patterns. In fact, every emotion we experience has a corresponding breathing pattern. What this means is that if you can control your breath, you can control your emotions. And if you can control your emotions, you can control your life—or at least you can control the way you respond to everything that happens in your life.

Finally, conscious breathing can also increase the brain's ability to focus. With all of the technological stimulation we experience every day, the average attention span has decreased by 50% in the past decade. If we think of the brain as a muscle, we can literally strengthen areas of the brain related to focus and concentration by practicing focused breathing. Moreover, studies now show that deep breathing through the nose stimulates the hippocampus, which can actually improve memory recall.

With so many benefits, why wouldn't you take time throughout your day to just . . . breathe? Law school can be tough, but it's a lot easier if you go through it one focused breath at a time.

Book Review: *My Grandmother's Hands: Racialized Trauma and the Pathway to Mending Our Hearts and Bodies.*

By Resmaa Menakem, Central Recovery Press (CRP) 2017

By Filippa Marullo Anzalone, Professor and Associate Dean of Library & Technology Services at Boston College Law School



I spent most of the summer and fall of 2020 reading over a dozen books about racism, anti-racism, and mindfulness and racism. One of the most riveting, eye-opening, and ultimately most hopeful was Resmaa Menakem's *My Grandmother's Hands: Racialized Trauma and the Pathway to Mending Our Hearts and Bodies*. Menakem's lens into the issue of racism is fascinating and worthy of serious reflection. Instead of seeing the lack of racial harmony as a failure of will or moral inadequacy, Menakem explains that racism cannot be eradicated until we deal with a vexing underlying problem; namely, recovery from the body's held trauma.

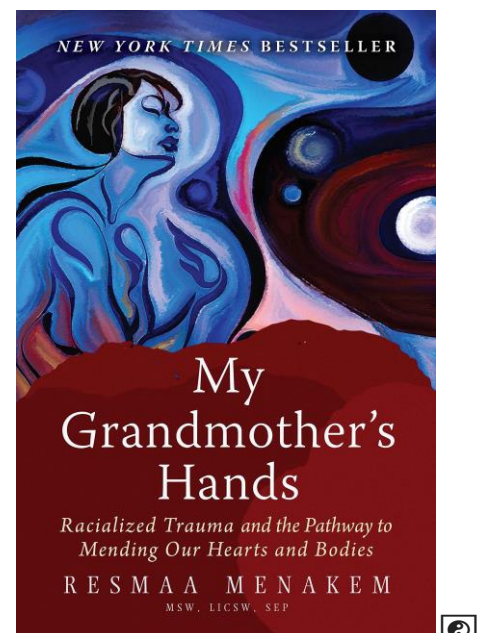
For Menakem, racial struggles are part of a dynamic continuum of power struggles and cruelty that cannot be healed until we take the time to recognize and contend with the body's pernicious and unrecognized suffering. According to Menakem, white Europeans held historical trauma and cruelty in their bodies from as far back as the Middle Ages from their mistreatment by those more powerful. These white bodies, in turn, brought their unresolved trauma and harm with them to the New World where they wreaked that same horror and damage on those less powerful, namely black African slaves and their descendants, in a continuing saga of cruelty and domination.

Menakem's brilliant conceptualization of the cyclical process of the body holding and passing unresolved hurt is initiated by a bittersweet memory of his grandmother's physical evidence of trauma. As a sharecropper's daughter, Menakem's grandmother picked cotton out in the fields from the time she was a toddler, a four-year old child. Although Menakem remembered his maternal grandmother's spirit as strong and loving, her body carried and passed on the pain of her experiences of being repeatedly lacerated by the cotton plants' sharp burrs. Despite her resilience, Menakem's grandmother's body was deformed by the trauma of her history. This insight animates the entire book.

Evolutionarily, the human body is built to survive via the fight, flight, or freeze mechanism that is hard-wired into our body's complex hormonal and physiological architecture. Today, we are witnessing a resurgence of interest in trauma and its effects on human beings, their psychology, and their interpersonal interactions. In Menakem's own words, "trauma is the body's protective response to an event—or a series of events—that it perceives as potentially dangerous. This perception may be accurate, inaccurate, or entirely imaginary."

Menakem is very well-equipped to deal with the evidence-based studies and growing body of knowledge about intergenerational stress responses and unresolved distress. He is a well-known therapist, social worker, and consultant with deep training in behavioral health, cultural somatics, and trauma. In interviews and speaking engagements, Menakem has said that his understanding of racism begins with the words of Ta-Nehisi Coates that "...racism is a visceral experience, that it dislodges brains, blocks airways, rips muscles, extracts, organs, cracks bones, breaks backs. (*Between the World and Me* at 10).

As a black man and a therapist, Menakem brings a profound, lived understanding of both the psychology and the neuroscience of the somatic approach to the problems of racism. In an inimitable way, Menakem presents a body-centered perspective of why discrimination exists, why we have been unsuccessful at eradicating the racial divide, and how we can begin to heal the divisions of contemporary society. One of the beauties of Menakem's book is that he provides chapters targeted especially for whites, blacks, and law enforcement (Menakem's brother and niece are both police officers). This book is life-affirming and practical. Menakem provides thoughtful material and exercises for trauma awareness and somatic healing. I highly recommend this title on so many levels, from personal recovery from the trauma continuum to understanding the chaotic world around us. This is a book about racism that will open you up in ways that you might not have imagined before reading it.



AALS Balance Section Speed-Idea Sharing

REVISITED

This past summer, the AALS Section on Balance in Legal Education General Programming Committee presented a well-attended, well-received six-part “Speed-Idea Sharing Series” on Promoting Well-Being in Law School. Each session featured a collection of brief presentations highlighting different approaches to promoting law student well-being, followed by a Q&A session and conversation.

To access any of these sessions, please visit the Webinars page of the [Section's website](#).

Session 1: Well-Being Days & Spaces

Moderator: Jill Engle, Associate Dean for Academic Affairs and Professor of Clinical Law, Penn State Law in University Park

Speakers:

- Chad Noreuil, Clinical Professor of Law, Arizona State University College of
 - ***Mindful Monday: Two Minutes of Zen and Eleven Minutes of Mindful Meditation***
- Julie Cullings, Assistant Director of Student Services, Penn State Dickinson Law
 - ***Wednesday Morning Wellness Walks***
- Laura Ferrari, Dean of Students, Suffolk University Law School
 - ***Chill Zone***

Session 2: Well-Being from Day 1

Moderators: Susan Brooks, Associate Dean for Experiential Learning and Professor of Law, Drexel University Thomas R. Kline School of Law and Kendall Kerew, Associate Clinical Professor and Externship Program Director, Georgia State University College of Law

Speakers:

- Lisa Bliss, Associate Dean of Experiential Education and Clinical Programs; Clinical Professor, Co-director of Health Law Partnership Legal Services Clinic, Georgia State University College of Law
 - ***Creating a Classroom Community***
- Chaumtoli Huq, Associate Professor of Law, CUNY School of Law
 - ***Beginning Contracts with Grounding Exercises***
- David Jaffe, Associate Dean of Student Affairs, American University Washington College of Law
 - ***One-on-One Outreach to the 1L Class***
- Aric Short, Professor and Director, Professionalism and Leadership Program, Texas A&M University School of Law
 - ***Pre-Class Ice-breaker Activities***
- Kathy Vinson, Professor of Legal Writing and Director of Legal Practice Skills Program, Suffolk University Law School
 - ***#This is Me***

Session 3: Well-Being Teaching Strategies

Moderator: Larry Krieger, Clinical Professor of Law, Florida State University College of Law

Speakers:

- Dena R. Bauman, Externship Director and Lecturer, UC Davis School of Law
 - ***Wellness Activities for your Externship Seminar***
- Susan L. Brooks, Associate Dean and Professor of Law, Drexel University Kline School of Law
 - ***The Power of Being Seen and Heard: One Word (or Phrase) Check-Ins and Check-Outs***
- Michelle "Cheli" Hunt, Director of Academic Success and Assistant Professor of Law, Ohio Northern University, Pettit College of Law
 - ***Intrinsic Goal Setting in the Classroom and on the Bar Exam***
- Michael Murphy, Clinical Supervisor and Lecturer in Law, University of Pennsylvania Carey Law School
 - ***How Are You? Being Genuine with Students; The Speed of Fun***

Session 4: Well-Being Courses & Programs

Moderator: Jordana Alter Confino, Director of Professionalism & Adjunct Professor, Fordham Law School

Speakers:

- Jordana Alter Confino, Director of Professionalism & Adjunct Professor, Fordham Law School
 - **Peer Mentoring & Leadership Program**
- Susan Landrum, Assistant Dean for Academic Success & Professionalism, Nova Southeastern University Shepard Broad College of Law
 - **Legal Skills & Professionalism**
- Charity Scott, Professor Emerita of Law, Georgia State University College of Law
 - **The Reflective Lawyer**
- Lynn LeMoine, Dean of Students, Mitchell Hamline School of Law); Leanne Fuith, Associate Professor; Dean of Career and Professional Development, Mitchell Hamline School of Law
 - **Foundations for Practice**
- Carolyn Nelson, Professor, CUNY School of Law; Ryan Dooley, Assistant Dean of Academic Affairs, CUNY School of Law
 - **Pipeline to Justice - Mountain Visualization Meditation**

Session 5: Incorporating Well-Being into Any Class

Moderator: Janice Craft, Director of Professional Identity Formation & Assistant Professor of Legal Practice, University of Richmond School of Law

Speakers:

- Nicky Boothe, Professor, Florida A&M University College of Law
 - **Mindful Minutes**
- Kendall Kerew, Director, Externship Program & Associate Clinical Professor, Georgia State University College of Law
 - **Incorporating Well-Being into Contracts and Externship Teaching**
- Danielle Kocal, Director of Academic Success, Elisabeth Haub School of Law at Pace University
 - **Guided Meditations**
- Sue Liemer, Professor and Director, Legal Method & Communicating, Elon University School of Law
 - **Seventh Inning Stretch**
- Seema N. Patel, Clinical Director, East Bay Community Law Center & Lecturer, UC Berkeley School of Law
 - **Mindful Minute**

Session 6: Anxiety & Stress-Management Strategies

Moderator: Natalie Netzel, Assistant Professor of Law, Mitchell Hamline School of Law

Speakers:

- Christine Church, Professor, Western Michigan University- Cooley Law School
 - **Anxiety and the Practice of Law**
- Rebecca Simon Green, Co-Director, Mindfulness, Stress-Management & Peak Performance Program, USC Gould School of Law
 - **Mindfulness, Stress Management, and Peak Performance Program**
- Laurel Rigertas, Professor, Northern Illinois University- College of Law
 - **Time Management Exercises**
- Nyla Millar, Assistant Professor of Legal Methods, Widener University Delaware Law School
 - **Student Stress Management Plan**
- Shailini Jandial George, Professor of Legal Writing, Suffolk University
 - **Mindful Study Sessions/Preparing for Professional Success**