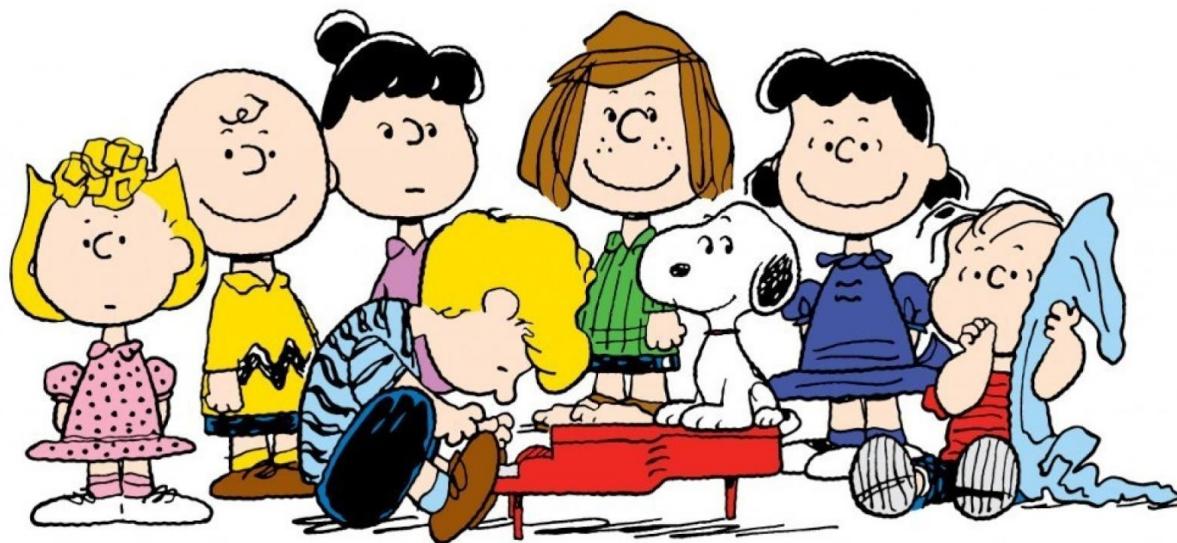


# Using Positive Psychology to Improve Law Student Well-being, Character Development & Performance



Debra Austin, JD, PhD



Positive Legal Education: Flourishing Law Students and Thriving Law Schools 77 Md. L. Rev. (forthcoming).

# Law Student Wellbeing Research

- Anxiety, Depression, Substance Use & Suicide Risk
  - Significant mental health decline during law school (Krieger 2002)
- 2014 Survey of Law Student Well-Being - 11,000 students (Organ, Jaffe & Bender 2016)
  - 90% had alcohol in last 30 days
  - 43% binge-drinking once & 22% binge-drinking at least twice in past 2 weeks
  - 20.4% considered suicide sometime & 6.3% in last 12 months
  - 17% positive for depression and 37% had anxiety



# *The Path to Lawyer Well-being: Practical Recommendations for Positive Change*

(ABA 8-14-17)

## Three Reasons to Address Lawyer Well-being

- Enhance the effectiveness of legal organizations;
- Improve the professional and ethical behavior of lawyers; and
- Help individual lawyers thrive in 6 domains
  - Physical
  - Emotional
  - Intellectual
  - Occupational
  - Social, and
  - Spiritual



# Law School Recommendations

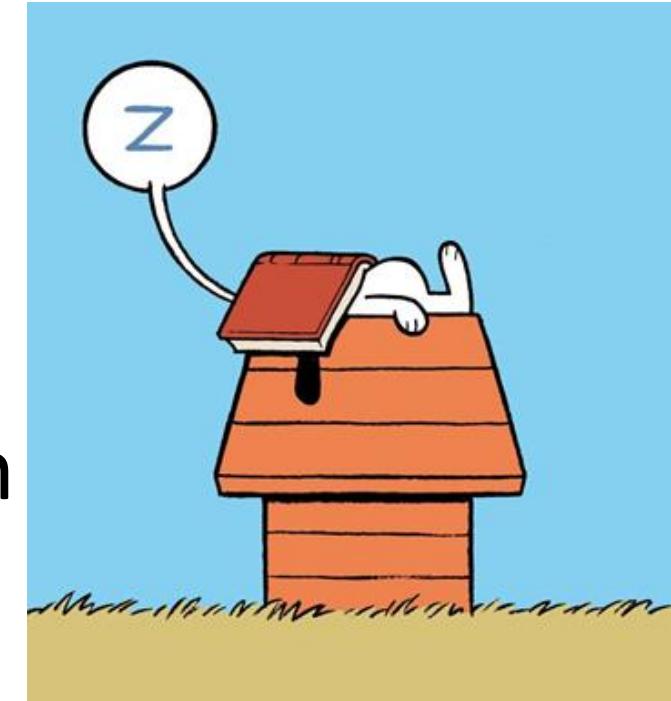
- Identify organizational practices that may contribute to well-being problems, and assess changes that can be made
- Educate faculty on well-being issues in the legal profession
- Provide well-being curriculum for students
- Provide Student Resources on Mental Health and Substance Use Disorders
- Create Peer Mentoring Program
- Discourage alcohol-centered social events
- Survey student well-being anonymously



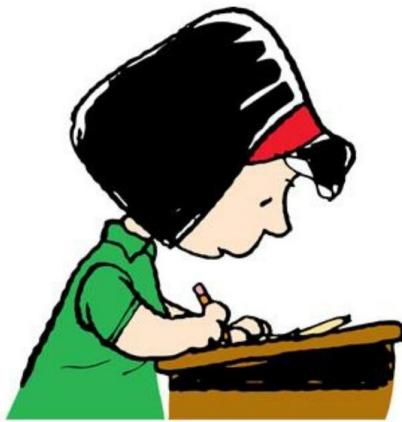
# Wellbeing & Academic Performance Research

- Teaching skills for wellbeing enhances students' performance

- Standardized tests
- Study habits
- Homework submission
- Grades, and
- Adult education attainment, health & wealth



- Adler, A. & Seligman, M. E. P. (under review) "Increasing Well-being Enhances Academic Performance in Bhutan." *American Education Research Association Open*.
- Adler, A. & Seligman, M. E. P. (under review) "Well-being and Academic Achievement: A Call for Research Action." *International Review of Education*.



Be the  
best version  
of you.



## Wellbeing & Performance Skills

- **Mindfulness, emotional regulation, decision making, & critical thinking** enhances student performance on standardized tests
- **Social & emotional training** scored over 11% higher on achievement tests than untrained peers (meta-analysis of 213 studies)
- **Self-Regulation Skills** improve study habits, homework submission, grades, and adult education attainment, health, and wealth
- **Self-discipline** is better at predicting long-term academic success than IQ
- **Grit**, the capacity to persevere while pursuing long-term goals, predicted retention in elite academic military programs and grades at top universities

# Positive Psychology: Emotional Domain of Well-being

(Thriving: PERMA Adler & Seligman 2016)

- Positive Emotions,
- Engagement,
- Healthy Relationships,
- Meaning,
- Achievement, and
  - Thriving across multiple domains
  - Hedonic (feeling good) and Eudaemonic (functioning well) Well-being
  - Absence of crippling elements: depression, anxiety, anger, & fear



# Foundations for Practice Report

(Gerkman & Cornett, IAALS, 2016)

- 24,137 Lawyers Surveyed
- Law schools must develop law student Character Quotient (CQ)
- Successful lawyers need “a blend of legal skills and professional competencies, and, notably, they require character.”
  - Character Attributes
  - Collaboration Competencies
  - Self-Care & Self-Regulation Skills



# PERMA & Foundations Characteristics

## • Positive Emotions

- Positivity & energy
- Stress management
- Handle dissatisfaction appropriately

## • Engagement

- Intellectual curiosity
- Resourcefulness
- Flexibility, adaptability & resilience
- Decision-making under pressure

## • Meaning

- Strong moral compass
- Self-awareness (strengths, weaknesses, boundaries, preferences, sphere of control)
- Ownership, passion for work

## • Positive Relationships

- Positive professional relationships
- Work cooperatively & collaboratively as part of a team
- Express disagreement thoughtfully and respectfully
- Integrity, courtesy, respect, tact, & diplomacy
- Tolerance, sensitivity & compassion
- Humility & patience

## • Achievement

- Commitment to excellence



# PERMA, Foundations Characteristics & Recommendations

- Positive Emotions

- Mindfulness
- Meditation
- Gratitude

- Engagement

- Mindfulness
- Meditation
- Growth Mindset

- Meaning

- Growth Mindset
- Gratitude



- Positive Relationships

- Lovingkindness Meditation
- Mindfulness
- Gratitude

- Achievement

- Growth Mindset
- Best Day for Priming for Performance
- Savoring for Flow

# Fixed Mindset

- Intelligence & Personality Stable
- Galvanized by focus on GPA, rank, standardized tests
- Over-estimate their abilities
- Despise feedback as attack on key traits
- School, work, relationships are zero-sum, where goal is proving oneself to look smart, gain acceptance, win



# Growth Mindset

- Can expand aptitude, talents, and improve character with practice and experience
- Value learning & crave feedback
- Seek challenges, focus on improvement, develop passion for learning
- Motivated, resilient, and more successful in school and business

NEVER EVER  
**EVER**  
GIVE UP!





# Worry about the Future

WORRY  
WORRY

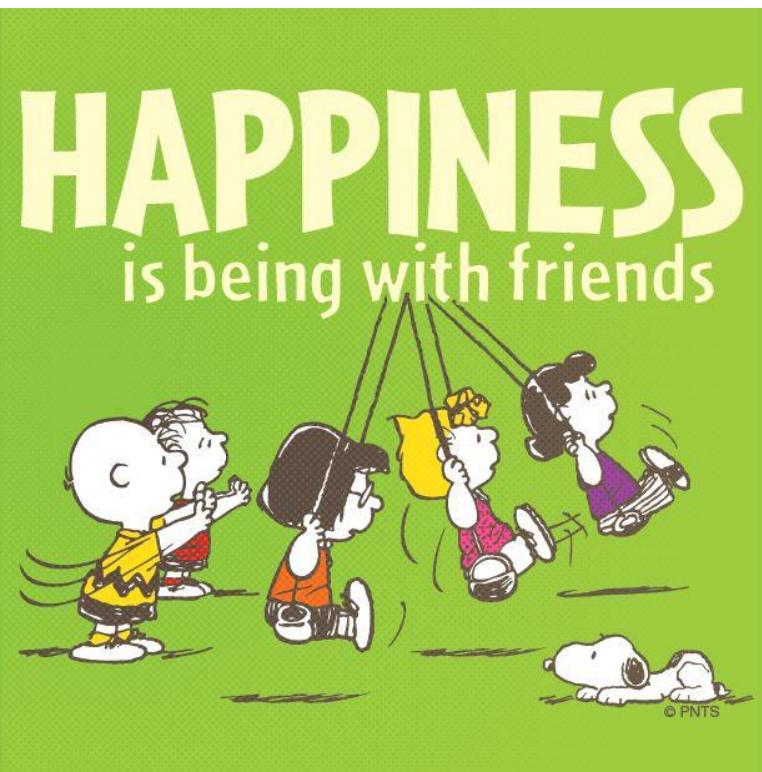
# Not Mindful

# Regret about the Past



# Mindfulness Defined

- Being fully aware of something and paying attention to the moment, with acceptance and without judgment or resistance. ~ Chade-Meng Tan ~
- Paying attention in a particular way, on purpose, in the present moment, nonjudgmentally, as openheartedly as possible. ~ Jon Kabat-Zin ~
- An Outcome (Mindful Awareness) and a Process (Mindful Practice)~ Shauna Shapiro ~



# Objectives of Mindfulness

- Calm Monkey Mind
- Develop Poise & Capacity to Respond rather than React
- Cultivate Flow & Achieve Optimal Performance
- Joy



# Research on Mindfulness

- Improves
  - Information processing
  - Decision-making
  - Concentration
  - Productivity
- Increases gray matter & connections between brain regions
- Improves immune function
- Promotes emotional intelligence
- Decreases distraction
- Reduces stress & anxiety



# Three Questions Practice

## Cultivate Mindful Perspective

- When is the most important time?
  - Now, because it is the only time which you have some control over
- Who is the most important person?
  - The person you are interacting with
- What is the most important thing to do?
  - Do your best to serve the person you are interacting with



# Meditation for Attention & Focus

- Easy Way
  - Bring gentle and consistent attention to your breath for 2 minutes, and when your attention wanders, bring it back
- Easier Way
  - Sit without an agenda for 2 minutes, shift from doing to being

Search Inside  
Yourself

Featuring Chade-Meng Tan



# Loving-kindness Meditation for Empathy & Compassion



Think of Yourself	Think of a Loved One	Think of a Difficult Person	Think of All People or Beings
May I be happy	May you be happy	May you be happy	May you be happy
May I be well	May you be well	May you be well	May you be well
May I be safe	May you be safe	May you be safe	May you be safe
May I be peaceful & at ease	May you be peaceful & at ease	May you be peaceful & at ease	May you be peaceful & at ease

# Research on Meditation

- Enhances productivity, attention, mood & compassion
- Increases gray matter in thinking & emotional brains
- Strengthens immune system
- Decreases stress-related cortisol
- Improves disease & disorders
  - Cardiovascular, Asthma, Type II Diabetes, PMS, chronic pain, insomnia, anxiety
- Students who practiced for 10 minutes per day for 2 weeks improved GRE scores (2013)
- 15 minutes improved decision-making (2013)
- Experienced meditators changed gene expression, reduced pro-inflammatory genes (2013)



# Cultivate Optimism with Gratitude Practice

MARTIN E. P. SELIGMAN, FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING (2011)

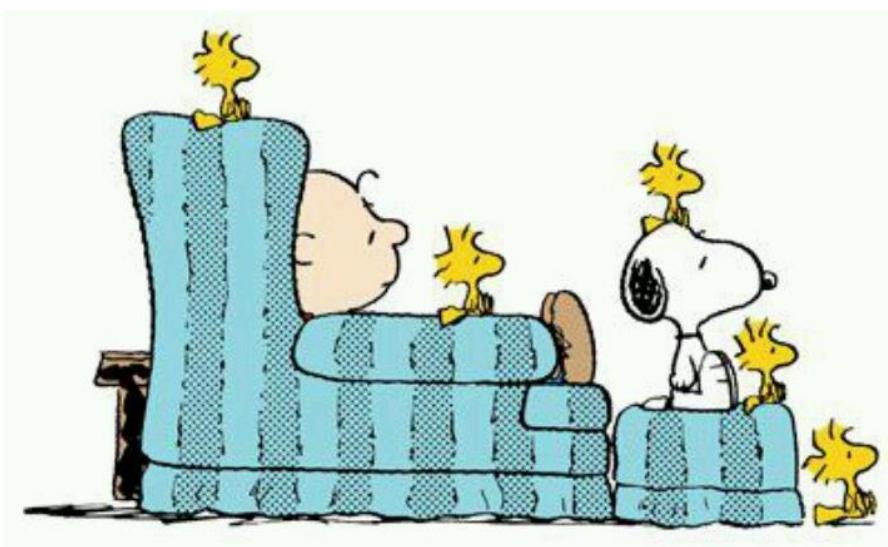
- Journal or Reflect on
  - Three Things
    - I'm Proud of
    - I'm Grateful for
  - What Went Well
    - Things that went well today and why



- Doubling Down on Joy because the mind can't tell the difference between actual experience and reflection Shawn Achor

# Notice Thin Slices of Joy

- Notice Thin Slices of Joy
  - Blue Sky
  - Sip of Coffee
  - Warm Shower Water
  - Cute Animal Tweet Off
  - Morning Comics
- Build to Joy of Daily Experiences with Gratitude Practice



# Research on Gratitude Practice



Over 100 studies, grateful people

- Have more positive emotions
- Accomplish more personal goals
- Sleep better & feel more alert, enthusiastic, and energetic
- Have lower blood pressure, and live 7-9 years longer



# Best Day: Priming for Performance

SHAWN ACHOR, THE HAPPINESS ADVANTAGE: THE SEVEN PRINCIPLES OF POSITIVE PSYCHOLOGY THAT FUEL SUCCESS AND PERFORMANCE AT WORK 46 (2010)

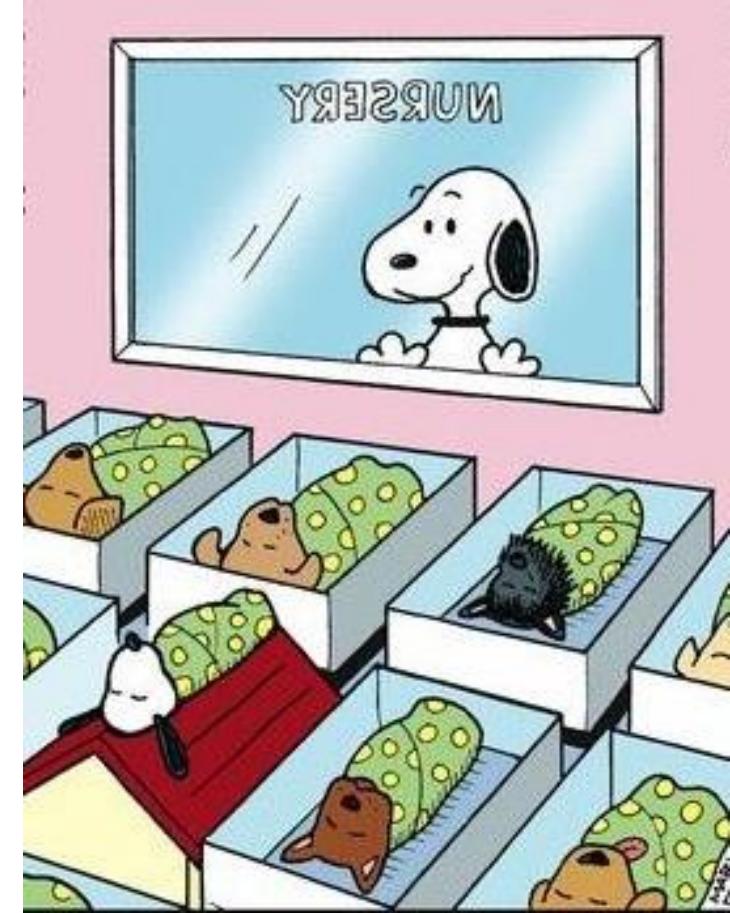
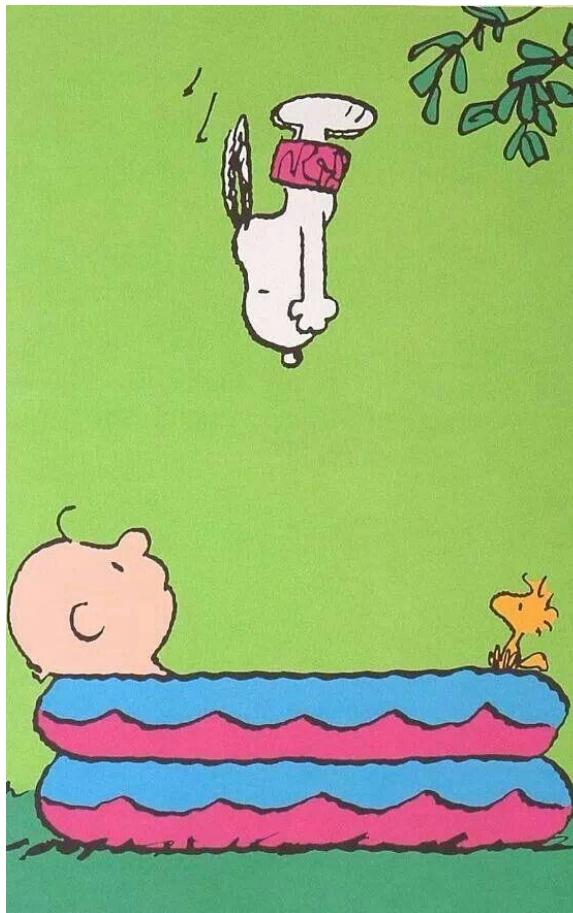
- Recall Best Day prior to
  - Hearing or Presentation
  - Demanding Performance



# Savoring: Enhance Engagement & Flow

MARTIN E. P. SELIGMAN, FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING (2011)

- Prior to work on a project, recall or reflect on life's pleasures, wonders, and awe-inspiring moments



*We are what we repeatedly do.  
Excellence, then, is not an act, but a habit.*

~ Aristotle ~

[www.debraaustin.info](http://www.debraaustin.info)

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