

## LARRY'S WELL-BEING AND RELATED ASSIGNMENTS

### I. Externship classroom component (any level of credit): Journal entries

**On the journal template itself, students are reminded that well-being, professionalism, and related matters are always appropriate, and that students should carefully observe supervisors, other attorneys, judges, and themselves and reflect “regularly” (you could be more specific if you like) on these issues. The Source Document that describes those reflections includes the following instructions; the “unit X” reference (italicized for emphasis here) toward bottom is most explicit about well-being.**

Journals (Note: See Journal Examples document in Canvas Course Library for sample entries.): You are required to maintain a journal of your clinical experiences (generally average about ½ to 1 page per day). Your journal must be a meaningful reflection, not just a report of what you did or saw. Journal entries should list briefly what your significant activities were and then discuss specifically what you think about or learned from this experience (reflection). Topics may include reflections and observations about:

- Effective (and ineffective) lawyering skills and attitudes
- Good and bad practices/attitudes among judges
- Broader perspectives on the legal process and court system including social, economic, political and similar factors you observe at work
- The relationship of your experience to your academic and skills courses
- Understanding your own attitudes, biases, skills, values, etc.
- Organizational and time management skills
- Good (and bad) features of the criminal justice process itself, including its impact on defendants and society
- Good (and bad) ethics and professionalism you have seen displayed or have displayed yourself
- *Unit X – Read these materials early in the semester. In order to maintain some focus on becoming healthy and happy (as well as successful) lawyers, try to include at least some reflection on these topics each week (not required however). You will regularly see, and experience, relevant behaviors in and out of court, and this is particularly good material to discuss on days when nothing else comes to mind for your reflection. Specific Unit X topics could include whether you, or others you see—your supervisor, attorneys, judges, staff:*
  - *Have a healthy perspective on what you/they can and can't accomplish/control*
  - *Have reasonable expectations about lack of perfection and the making of mistakes*
  - *Remain sufficiently detached from the outcomes of cases, the problems of your clients or victims, and the opinions of others (i.e. coworkers, the judge, etc.), and still remain caring and respectful*

- *Maintain a healthy balance between work, play, self-care/personal time, and family (or close friends) time*
- *Work only reasonable hours with reasonable caseloads, and are willing to tell supervisors, judges, etc. when problems are arising or you need help*
- *See the interrelatedness of health, life balance, career satisfaction, and professionalism in others or yourself*
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## **II. Well-being reading and writing assignments, externships and litigation skills class**

### **A. Full-Time Litigation Externship (Immersion program); readings/discussion**

**Discussion Board Assignment: students initially share as below, and then must reply substantively to at least two posts of others.**

*Assignments: (See specific prompts for these two articles below, “Criminal Litigation Skills” course, as these students have had that course and already done the readings and reflections listed there. In the externship then, I have them share their more informed observations with fellow externs, now that they are effectively in practice setting.*

#### **Article One:**

Krieger, Larry. “What We’re Not Telling Law Students—And Lawyers—That They Really Need to Know: Some Thoughts-In-Action Toward Revitalizing the Profession from its Roots.” *Journal of Law and Health*. 13:1 (1998). Print & Online.

Focus areas: Part 1, Sns, 1-8, and Part 2, “Stress, Caring, and Detachment”

#### **AND/OR Article Two:**

Krieger, “Inseparability of Professionalism and Personal Satisfaction, Values, Integrity, and Happiness” *11 Clinical Law Review* 421 (2005)

A substantive review of **one article (above) is mandatory** during the term, or may do both, but only one paper during term on these)

**Journaling – see journals section above.**

### **B. Half-Time Litigation Externship, and Low Credit (14 hrs/week) Criminal Clerking externship; readings/papers**

*These students have not had the Crim. Lit. Skills course nor read these articles previously. They are all assigned, but to provide them support via choices, they can read and respond to each prompt at the point of the term that they each prefer; these are short papers for me rather than discussion board with other students.*

**Reading:**

Krieger, Larry. "What We're Not Telling Law Students—And Lawyers—That They Really Need to Know: Some Thoughts-In-Action Toward Revitalizing the Profession from its Roots." *Journal of Law and Health*. 13:1 (1998). Print & Online.

**Writing/Reflections:**

Students are assigned four periodic papers (roughly monthly), about one-page (3-4 meaningful paragraphs, 350-500 words or so).

Students will read the materials carefully and write roughly a one-page review and reflection, double-spaced, that shows an understanding of the main ideas in the material. When possible, students should mention experiences in the externship they have done or seen others do. If they are interested in a topic but have not seen or done the activity, they may still write about it; they should include the thoughts and reflections you have about it rather than actual observations or experiences. To enhance learning, they are encouraged to go and watch the activity before writing about it.

For the "What We're Not Telling Law Students . . ." reading, students must discuss 2 ideas that interest them from Part One, Sns. 1-8 of the article, and at least one idea from Part Two, "Stress, Caring, and Detachment." They must answer: How useful are these ideas in your opinion? Do you see people at the office that exemplify them, or who would benefit from them? Explain briefly.

**Journaling – see journals section above.**

**C. Government Law Clerk Externship (low credit civil/agency placements); readings/discussion**

**Discussion Board Prompt, Week 8:**

Reading:

Krieger, L. and Sheldon, K. "What Makes Lawyers Happy: A Data Driven Prescription to Redefine Professional Success." *George Washington Law Review*. 83.554 (2015). Print and Online.

Pages:

- 554-55 (Abstract)
- 562-65 (Scientific definitions of “happiness”/well-being and of the important needs, values and motivations measured in the study)
- 576-581 (Primary findings on which factors most and least predict happiness)

Reflections/Writing:

Introduction: Your externship represents a concrete step into the legal profession and provides a sense of what lawyers do in practice in your office. The next three discussion units will focus on the published, empirically measured factors that appear to make lawyers happy, and how those factors impact your well-being, your career choices, your professionalism, and your success. You will be thinking about your experiences to date, and for a theoretical framework of understanding, reading portions of Professor’s Krieger’s recent study of lawyer well-being. The study includes data from more than 6,000 practicing lawyers and judges, measuring their level of happiness/life satisfaction and considering that in light of their law school experiences, current legal work, position and compensation, and psychological factors (including levels of motivation, integrity, relationships with others, competence, and supportive work supervision). We hope that you will gain clearer insights into your own future paths by articulating and integrating your experiences with the empirical research in this important area.

The first unit focuses on the foundations of well-being. Be sure you read thoughtfully, as all of these findings and experiences may well apply to you and your peers either now or in the future. Also, the first unit assigned reading provides the foundation for all three units to follow, since it explains the values, motivations, and needs of lawyers in some detail (and also contrasts them with common “false” or maladaptive values and motivations).

First Reflect on Your Experience: Begin by thinking intentionally about the lawyers you have known in your externship who generally seem the happiest and most satisfied. Also identify those who seem least happy and satisfied. Then broaden your thinking to other lawyers (and perhaps other professionals as well) that you have known or observed. Who seemed most clearly happy or unhappy in their life and their work? Can you discern attitudes, personal or professional qualities, pay/benefits from work, family/personal life factors, etc. that seem to contribute most to their enjoyment and satisfaction (or lack of same)? Make brief notes for yourself before doing the reading assigned below, to integrate with that reading in your writing assignment.

1. First, write a brief paragraph or so listing and summarizing the important internal and external factors in the lawyer data that are most and least associated with well-being. Then note whether your own observations and experiences confirm or contradict the findings in the study. For any factors that you found surprising or confusing, please explain briefly.
2. Consider your previous and current experiences with lawyers and other professionals (see “REFLECTION” above). Write a paragraph or so each about the happier and unhappier lawyers you have worked with or known, integrating the research on “What Makes Lawyers Happy?” Specifically identify any internal and external factors that seem to stand out about those lawyers (i.e. their motivations, values, levels of autonomy, authenticity, relatedness to others, competence, level of supervisor support, pay or possessions, family life, etc.) that seem to contribute to their experiences (whether positive or negative). If there are other important factors that the study did not consider, please note them as well.

## **D. Criminal Litigation Skills Course – prerequisite to Immersion Litigation externship; readings/paper/classroom discussion**

### Reading:

### Articles:

Krieger, Larry, “Inseparability of Professionalism and Personal Satisfaction, Values, Integrity, and Happiness” 11 *Clinical Law Review* 421 (2005)

Krieger, Larry. “What We’re Not Telling Law Students—And Lawyers—That They Really Need to Know: Some Thoughts-In-Action Toward Revitalizing the Profession from its Roots.” *Journal of Law and Health*. 13:1 (1998). Print & Online.

Krieger, Larry. “Hidden Sources of Law School Stress.” To order booklet, contact Professor Krieger at [lkrieger@law.fsu.edu](mailto:lkrieger@law.fsu.edu).

Krieger, L. and Sheldon, K. “What Makes Lawyers Happy: A Data Driven Prescription to Redefine Professional Success.” 83 *George Washington Law Review*. 5548 (2015)

Pages:

- 554-55 (Abstract)
- 562-65 (Scientific definitions of “happiness”/well-being and of the important needs, values and motivations measured in the study)
- 576-581 (Primary findings on which factors most and least predict happiness)

Optional: Schiltz, Patrick. “On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession.” *Vanderbilt Law Review*. 52.871, 1999. Print.

Optional: “Making Docile Lawyers: An Essay on the Pacification of Law Students” *Harvard Law Review*.

111.7, 1998. Print.

### Writing/Reflection:

Respond in writing to the following questions (perhaps a short paragraph each); they deal with potentially important issues. You are encouraged to think carefully and respond honestly – please do not tell me what you think I “want to hear.” These comments can sometimes be persona and are confidential in any case.

Note: The following assignment does not need to be lengthy—about 2-3 pages or so (total) would suffice for these thoughts.

- A. "Inseparability" article: Write about two paragraphs discussing 2-3 points about the relationships among professionalism, values, motivation, or well-being of interest to you.

- B. "What We're Not Telling Law Students" article: Discuss briefly 3-4 main ideas that seem important or interesting to you.
- C. "What Makes Lawyers Happy?" article: Read carefully the assigned pages, and also run through the table of contents and read any other sections of interest to you. This is a Most Practical Article showing lots of specifics about 6,200 lawyers, and was the most shared subject in the New York Times for two days when published. You will find sections of personal interest to you almost for sure, esp. in Part Two.

Responses: Write brief comments (about two paragraphs) about the 2-3 most important sections in this study for you, whether your school or career considerations, or both.

Any related comments are welcome. Turn in your responses, A-C.

### Discussion Board Prompt, Week 10:

Reading:

Krieger, L. and Sheldon, K. "What Makes Lawyers Happy: A Data Driven Prescription to Redefine Professional Success." *George Washington Law Review*. 83.554 (2015). Print and Online.

-585-92 (alcohol, public service vs. prestige vs. "other" jobs)

-594-600 (hours/billable hours, firm size, position/partnership in firm, litigation, pro bono)

-617-20, with chart: (summary and tiers of well-being factors)

OPTIONAL, other well-being factors: 600-04 (age, gender, ethnicity, marriage, children), 606 last paragraph (school rank), 608 (vacations, smaller cities)

Writing/Reflection:

For the last unit you read about and considered the factors that appear to produce lawyer happiness and satisfaction. Review your entries for the last unit briefly now, as that information is foundational and critical for considering your future work and career choices – our goal for this unit.

You are at the point in law school when you are focusing on your career options and will ultimately have choices about specific jobs opportunities. Whether it is your first or a subsequent job after law school, each decision will require you to balance diverse and often conflicting variables to make a decision you will be happy with over time. Many of these variables are external to you – location, type and area of work, pay and benefits, relative prestige of different jobs, use of your spare time, and many more. The study introduced for last unit investigated many such variables. Taken together with the sections assigned previously that elucidate the fundamentals apparently driving lawyer happiness, many of these more specific findings can provide you further direction in your job/career search.

Consider this week's readings with your reflections from the last unit, to think about what choices about your future life are likely to make you happy and satisfied, personally and professionally.

Then a) list your top one or two jobs or career areas under consideration now for after graduation, and b) write two paragraphs or so explaining how and why those choices are likely to affect your life satisfaction, based on the readings this week and for the previous unit. Specifically, what jobs are likely to make you happy, or not, and why? c) Based on all these research findings, please also note for us your thoughts about any work/life plans or priorities you might do well to change, in order to promote greater future happiness. d) Finally, do your observations of lawyers or other professionals now and in the past support or contradict these conclusions? Be specific about your observations and which factors appeared to impact those lawyers.

**Journaling – see journals section above.**

**PROFESSORS: YOU ARE WELCOME TO EMAIL ME FOR QUESTIONS/TO CHAT ABOUT ANY OF THIS. LARRY K: lkrieger@law.fsu.edu**