
From
**ARMY
STRONG**
To
**LAWYER
STRONG®**



*What The Legal Profession
Can Learn From The Army's
Experience Cultivating A
Culture Of Resilience*

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My Journey From Lawyer To Resilience Teacher,

BY WAY OF THE ARMY

*WHY I WANTED TO WORK
WITH THE ARMY...*

I WAS SITTING AT A TABLE FULL OF DRILL SERGEANTS HAVING LUNCH

in the basement of the Sheraton Hotel in Philadelphia on the University of Pennsylvania campus. Lunch had started like it usually did, with me asking the soldiers how the training was going, fielding their questions and comments, and generally just talking about stuff, usually football related. Out of the corner of my eye, I noticed one of the soldiers staring at me, his gaze not once leaving my face. After a few minutes (and beginning to feel somewhat uncomfortable), I turned to him and asked, “Hey sergeant, what’s up?” His immediate response was, “Are you just in this for a paycheck?”

I had never been asked that before, and his question was a good one. What was a small town girl and a former lawyer with no military background doing teaching anything to a room full of soldiers? The reason is Walter Edwin Davis, my grandpa. I proceeded to tell my story to this sergeant, and explained that my grandpa was a World War II vet, who fought on D-Day and at the Battle of the Bulge, earning a Purple Heart for his valor. He was severely wounded and spent months healing his physical injuries, but his psychological and emotional wounds, sadly, never healed. That had a tremendous impact on my family, I explained, and if I could help just one soldier avoid some of what my family experienced, it would be a great honor and a testament to my grandpa’s legacy.

“That’s a great story,” he said, and I could see a shift in his demeanor. Shortly thereafter, he started asking me more questions, and I could tell he bought into the idea of me. And thus continued one of the most interesting chapters in my career—learning how to teach the skills of resilience to busy professionals in high-stress careers.



*HOW I GOT THERE IN
THE FIRST PLACE...*

The other question I am asked much more frequently is some version of, “You used to be a lawyer and now you do this...what happened?” The short answer is that I burned out during what became the last year of my law practice. If you had met me when I was practicing, you would have seen a successful lawyer, on top of her game, closing several multi-million dollar commercial real estate deals each month. You may have even thought, “She has it all.” But here’s what you would have missed.

First, I was exhausted, and it was a different kind of tired than I had ever experienced. Getting out of bed to go to work had become exceedingly difficult, if not emotionally painful. My pop out of bed, ready to start the week, had become a slow drop and thud. Weekends weren’t long enough to fully recover (even when I didn’t work, which was rare), and vacations, when I actually took them, provided only temporary relief. Every work or life curveball, no matter how minor, became a major deal. I remember my mom calling and asking me to pick up some groceries on my way out to her house, and I had a level 10 reaction to her very basic request. That was not my personality, and it was a red flag.

Second, I had become cynical, even by lawyer standards. People generally just started to bug me and rub me the wrong way. I remember working with clients, and when they came to me with a legal issue, outwardly I was very professional, but inwardly I would roll my eyes and think, “Really? You can’t handle this on your own?” Or, “Didn’t we already talk about this?” Disconnecting from people was unusual for me, and I just wanted to be left alone in my office.

Third, I started to feel ineffective. I never lost confidence in my ability to be a good lawyer, but I stopped seeing a clear path for myself through the legal profession. I had worked at a small, boutique firm, then at a large law firm, and then in-house. All of those progression boxes had been checked. Now what?



I didn't understand what burnout was or how I could have prevented it, so I decided to go back to school to study stress and its effects more deeply, and how stress-related issues impact busy professionals, leaders, teams, and organizations. Several of the professors I studied with are world-renowned experts in the science of resilience—helping people to develop their capacity to adapt to change, stress, pressure, and challenge. As soon as I heard the term, I knew this was a set of tools that could be beneficial to many.

This e-book is the story of my journey teaching and training resilience skills to soldiers, lawyers and those within the legal profession. While it may not appear so at first, there are similarities between the intensity of the stressors soldiers and lawyers face. In the pages below, I offer the back story about how the Army resilience program came into being and connect the dots so that you can consider whether resilience skills are something you want to introduce at your firm, law school, or organization.



Challenges in the Legal Profession

CHALLENGE, CHANGE, AND UNCERTAINTY

are the norm in today's legal profession (and for many professionals with whom lawyers work). Here is a short list of challenges facing lawyers, law firms, and legal professionals:¹

- Law practices are more specialized and complex; many lawyers report that they feel pressured and rushed to give complex advice to clients on very short timeframes
- Good legal advice is just the start—lawyers may now reasonably be expected to develop competencies in areas such as business acumen, project management, technology and coding, and human centered design frameworks and tools
- Lawyers are business owners, but have little training in how to develop and cultivate business
- Lawyers are leaders, but formal leadership training is often not prioritized
- Innovation is a priority – firms and lawyers are under pressure to add value and create more streamlined processes and products in many facets of their practices
- Mentoring and personal interaction decreased
- 24/7 “always on” mentality
- Work/life integration challenges
- Doing more with less (e.g., time, people, money)
- Clients are in control of how legal services are delivered; traditional fee structures are heavily questioned
- Intergenerational workforce management
- Diversity and inclusion issues
- Retention concerns—especially retention of women and minorities



*THE RESULT
IS STRESS &
STRESS HAS
CONSEQUENCES*



AS A RESULT OF THESE CHALLENGES, CHRONIC STRESS

is simply a part of doing business in this profession; however, there are consequences. Chronic stress inhibits problem solving, concentration, and attention; it impairs development of high-quality relationships and teams; it interferes with working memory, increases anxiety and is linked to burnout, and all of this can lead to impaired performance for lawyers and their teams.²

Also troubling is the large spike in mistake-related malpractice insurance claims. One legal malpractice insurance carrier reported that the percentage of claims that had lawyer-related mistakes present jumped from about 15% five years ago to 63%.³ An investigation into the large increase revealed the following responses: the increased pace, “always on,” 24/7 nature of the practice, increased complexity and specialization of practice areas, and decrease in mentoring and personal interaction.⁴

In addition, chronic stress can also give rise to (or exacerbate) depression, anxiety, burnout, alcohol abuse and physical illness,⁵ and it is now well documented that lawyers struggle with higher-than-average rates of many of these issues.⁶ As we also know, the path to languishing starts for many lawyers in law school, with studies now showing higher-than-average rates of anxiety, depression and problem drinking in law school.⁷

While the vast majority of lawyers and law students do not have a mental health or substance use disorder, that does not mean they are thriving.⁸ According to the National Task Force on Lawyer Well-Being report, many lawyers feel ambivalent about their work and different segments of the profession vary in their levels of satisfaction and well-being.⁹



One under-researched area of lawyer well-being is burnout. The medical profession far outpaces the legal profession in this regard, and the latest research now indicates that more than 50% of physicians are burned out.¹⁰ I have only been able to identify two studies addressing burnout in the legal profession—one which found that almost 40% of public defenders in Wisconsin meet the criteria for burnout, and the other, more than 30 years old, showing that burned out lawyers are less committed to their organizations and report lower identification with organizational goals.¹¹ Given the fact that burnout is often linked to a number of the concerns mentioned above, and given the much higher-than-average rates of these issues in the legal profession, I suspect that burnout rates among lawyers are similar to those reported among physicians.¹²

In an effort to build on the empirical work I'm already doing in health care, it is an important goal of mine to measure the effects of burnout in the legal profession. Please contact me at paula@pauladavislaack.com to let me know if your firm or organization would like to be involved with my research project goals to study the rates of burnout among lawyers and those in the legal profession.

Leadership Development Challenges

Lawyers arrive at firms and organizations with a large leadership gap, often because traditional leadership principles aren't taught in law school. It becomes harder for lawyers to catch up in this regard because their focus immediately involves becoming technically proficient.¹³

Given the swirl of challenges lawyers face, and given the fact that they often achieve positions with huge leadership responsibility, adding resilience skills into lawyer leadership development curricula becomes imperative.



Challenges in the U.S. Army

WHY RESILIENCE?

THE ARMY'S COMPREHENSIVE SOLDIER AND FAMILY FITNESS PROGRAM

“CSF2”) is an integrated, proactive approach to developing resilience in soldiers, their family members, and the Army’s civilian workforce. CSF2 is a leadership and training program meant to help this population face life’s adversities by providing evidence-based training, focusing on prevention and improving a soldier’s ability to better manage stress.

General George Casey, Jr. recognized the negative effects that frequent deployments had on soldiers and their family members and sought to develop a program that would address Army leader well-being in a holistic way. General Casey’s vision was that, “CSF2 becomes part of our culture over time, with our soldiers understanding the positive dimension of psychological fitness much like professional athletes do.”¹⁴

Resilience training improves a soldier’s ability to better manage stress.



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General Casey didn't want to just train soldiers—he wanted those soldiers to turn around and go back to their units to teach other soldiers the same skills.

In an effort to make his vision a reality, General Casey contacted Dr. Martin Seligman (“Marty”) at the University of Pennsylvania (“Penn”), known the world over for his pioneering work in the areas of learned optimism, resilience, and as the principal founder of positive psychology. Penn was one of the only known institutions that had conducted this type of large-scale training and had published extensive peer-reviewed research in this area. Penn was also the only known entity that had extensive experience developing and implementing a resilience train-the-trainer model that had also been scientifically reviewed.¹⁵

That was critical because General Casey didn't want to just train soldiers—he wanted those soldiers to turn around and go back to their units to teach other soldier the same skills. In the months that followed, Marty, General Rhonda Cornum, Dr. Karen Reivich and colleagues created the Army's Master Resilience Trainer (“MRT”) curriculum. What began as a meeting in 2008 has resulted in the Penn/Army team having trained more than 40,000 master resilience trainers.¹⁶

While some of these MRT's have retired, the active trainers (having earned an 8R skill identifier upon graduation from the MRT course) conduct regular training of small groups as a mandatory component of the Army's basic training and leadership development programs. As CSF2 has evolved, it is now housed under the Army's Ready and Resilient Campaign, a comprehensive plan to address the enduring needs of the total Army, and which also continues to prioritize a type of cultural change that integrates resilience into Army programs and assessment.



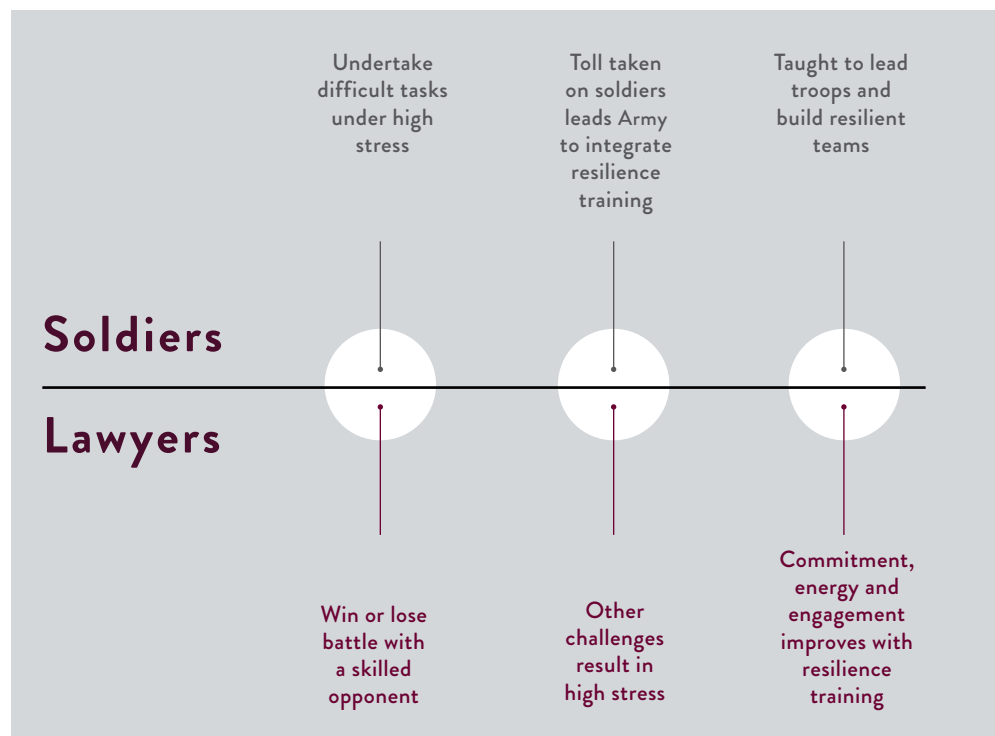
Lawyers and Soldiers

THERE ARE SIMILARITIES

BEFORE STARTING MY WORK WITH SOLDIERS, ALL I KNEW ABOUT DRILL SERGEANTS

was based on movies I watched, and the idea of teaching them anything intimidated me. However, there are more similarities between the challenges that soldiers and lawyers face than you may first think.

Both groups undertake tasks for society that are very important, but that can impose huge personal costs. While some tasks soldiers are asked to undertake involve armed conflict with external forces, soldiers spend most of their time leading troops and dealing with everyday work/life pressure. Lawyers frequently wade into the toughest interpersonal conflicts our society produces, with the charge that they resolve them, or at least mitigate their consequences. The outcomes lawyers seek (or seek to avoid) may involve substantial amounts of money, a person's livelihood, or the very future of a family.



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Lawyers frequently wade into the toughest interpersonal conflicts our society produces, with the charge that they resolve them, or at least mitigate their consequences.

These disputes often involve conflicts in the fundamental values that lawyers and their clients hold dear, and such disputes frequently cannot be resolved by simply “doing the right thing.”

Disputes and negotiations often involve zero-sum components with “winners” and “losers,” “win-win” outcomes may be few and far between and that only increases the pressure to succeed. And much like soldiers, lawyers do their work in an adversarial context with a trained opponent on the other side. Doctors, for example, don’t have to worry about another doctor interrupting a surgical procedure in an effort to see that the patient dies.

Often, lawyers have to do things that cause others emotional or even physical pain (e.g., cross-examining a witness, facilitating corporate layoffs), and they do all of this in cultures focused on rules and authority, verbal facility, and, for private practitioners, extrinsic rewards, most notably money and status. The damage these challenges inflict, both in law school and for practicing lawyers, is now well documented and summarized above.

Interestingly, there is evidence to suggest that, as with the Army, training in resilience skills can help within the legal profession. My friend and colleague, Dave Shearon, the former Executive Director of the Tennessee Commission on CLE and Specialization, studied the CLE Commission’s records and realized he had spoken to and/or taught resilience skills to over 900 attorneys in a two-year period. With the Commission’s permission, he surveyed those attorneys to see if the resilience work had any effect. What he learned matched the experience of the Army MRTs—those lawyers who reported using the skills found that they made a difference; in fact, those lawyers who used the skills were three times more likely to report that their commitment, energy, and engagement in their law practice was somewhat or much improved.¹⁷



How Do You Embed Resilience

IN A SKEPTICAL CULTURE?

IN ORDER FOR RESILIENCE

TO BECOME incorporated into Army culture, General Casey and his colleagues had to address certain challenges and pockets of perceived resistance. Here are 3 strategies they used:



Get leadership buy in

I naively thought that if the Chief of Staff of the U.S. Army directed something to happen, it just happened. Poof—all of the lower ranking soldiers would simply fall in line and resilience training would roll out without a hitch. I was wrong.

General Casey and his leadership team made extensive efforts to inform leadership at all levels about the program, the research efficacy supporting it, its components, and the benefits. In 2014, Raymond F. Chandler, III, Sergeant Major of the Army, Raymond T. Odierno, Chief of Staff, and John M. McHugh, Secretary of the Army executed what became known as the “tri-signed letter”—a directive signed by the highest ranking Army leaders calling on all Army leaders to make resilience training a priority. Eventually, executive briefings were developed and MRT Primary Instructors were trained to deliver those briefings to the leadership back at their units. Army leadership was very strategic in selling the program to their colleagues, who could then in turn influence others to embrace the change, rather than resist it or go about it half-heartedly.

As firms seek to create resilience and well-being initiatives, they would be wise to follow the Army’s lead in this regard. The American Bar Association has appointed a working group to develop model law firm policies on lawyer well-being, and suggestions are forthcoming.¹⁸

Any type of wide-scale change in this area requires buy-in and role modeling from leadership. Leaders should be encouraged to talk about ways they demonstrate resilience in their own lives, and seek to encourage resilience in those over whom they have influence.



“

The reality is, every attorney and legal professional struggles with stress and setback on some level—why not talk about it so we can start to highlight the aspects that reflect resilience?

Similarly, I have both found that management-specific trainings and workshops are an especially useful predicate to this process, whereby it is possible to help leaders understand and develop comfort with resilience-related concepts prior to expecting them to embrace or advocate for them within the firm.¹⁹



Address the perception of “touchy feely”

Since one of the Army’s goals was to improve the performance of all soldiers (not just “fix the broken ones”), addressing the “touchy feely” challenge was huge. The MRT training design helped with some of the problem—at 10 days in length, it incorporated opportunities for the participants to practice the skills and connect with them personally. The soldiers could experience the power of the skills during the training. The average overall rating of the course was consistently 4.7 - 4.9/5.0, and eventually, word spread about the course and its impact.

Another way to address the touchy feely perception is with research. Lawyers like evidence, and it’s important to provide solid data to support the efficacy of these tools and programs. I address the research basis for resilience programs in a later section. In addition, examples need to be highly tailored to the audience. One of the reasons why the soldiers resonated with the program is that we spoke their language. Similarly, a 2nd year associate has different challenges than a senior partner.

Finally, nothing is more effective or impactful at dismantling the touchy feely aspect than peers freely sharing their experiences overcoming a challenge. I talk a great deal about my own fallibility and struggles in my presentations, usually couched in humor because that is what feels comfortable to me. In my work with healthcare organizations, I’ve listened as physicians talk about times when they made an error and saw firsthand the relief and rush of emotion from a nurse who talked for the first time about a mistake she made and had kept to herself—20 years ago.



In my work with a Fortune 500 bank, I moderated a panel where five attorneys each shared a video story of a different challenge they overcame at work and the strategies they used to turn a significant corner on a work-related project. That candor allowed me to highlight the skills each was using to marshal resilience and we created a common language within the team. I also moderated a panel at a different event that included general counsels and managing partners from large organizations and firms, each of whom recounted a time when he or she had to adapt to a specific challenge. You could have heard a pin drop in the room. Stories about resilience don't have to be deep life confessionals. The reality is, every attorney and legal professional struggles with stress and setback on some level—why not talk about it so we can start to highlight the aspects that reflect resilience?

Personally, I used to be that person who never talked about failure or my own challenges. It was too risky for me, especially when I was practicing. The soldiers helped me understand that talking about stress isn't a sign of weakness—it's courage, and it's inspiring. Here are three soldier stories that have stayed with me:

1 *I'll never forget one participant—a quiet soldier who rarely said much. All of a sudden, during one of our breakout sessions, his hand shot up. We called on him, and out of the blue he shouted, "I'm an asshole!" It took the room by surprise, and naturally, we asked him to explain. He said, "I'm on my third marriage, and it isn't going well. I just now realized that I've been a big part of the problem!" While there were a few chuckles in the room, we all respected this profound moment of self-awareness.*

2 *Another soldier spoke in a plenary session about his experience being at the Pentagon when it was attacked on 9/11. He recounted the intense emotion he felt in the weeks and months after, such that he eventually attempted suicide. He was found in his car by a relative and survived. He said with tears streaming down his face, "If I had these skills earlier, I could have at least slowed down my anxiety and the emotion so that I could have gotten help."*

3 *We started each training day with a skill called "Hunt the Good Stuff"—asking participants to share good news from the past 24 hours. One of the soldiers sitting in class raised his hand and said, "I reconnected with my sister this weekend." When we asked him to explain, he told us about how his mother's death had created*



a rift in the family; as a result, he hadn't spoken to his sister in years. We had just finished our Module on building high-quality relationships, and he explained that it inspired him to want to reconnect with his sister. So on our course day off, he took the train from Philly to New York City and showed up at his sister's apartment building, unannounced. She was home, opened the door and burst into tears. With tears streaming down his face he said, "I would never have had the courage to do that had it not been for this course."

While a 10-day course is unusual in the legal profession (or elsewhere within Corporate America for that matter), there can be lasting impact in much shorter programs. Lawyers, law students and legal professionals are smart and learn new concepts quickly. The skills don't take long to teach, and participants can start practicing them immediately. Other modes of communication, like videos, online or on demand refresher courses, group and 1:1 coaching all help to support an initial training and can be delivered remotely.

Strategy

3

Leverage TNT's

"TNT" is my colleague's acronym for "Tiny Noticeable Things." Most organizations feel overwhelmed by change, especially change at the cultural level, so rather than do something small, they do nothing at all. In reality, cultural change starts with each individual choosing to do "the way we do things around here" differently, and these behaviors need to be modeled and supported by leaders. Even though the Army required new MRTs to formally teach resilience skills upon returning to their units, it also challenged the MRTs to incorporate resilience training by doing TNTs. Soldiers talked about how when they were out for PT (physical training), they would chat with fellow soldiers about their relationships. When they were performing training drills, they would assess their thinking in the moment and talk about the skill we taught to address worst-case scenario thinking. They would make sure fellow soldiers were practicing the tactical breathing skill we taught to lower stress in the moment. There are many ways law firm leaders, mentors, partners, and associates can incorporate resilience TNTs into daily work routines.



Resilience Training Works

I WANT TO ADDRESS this in two parts; first, what does the data from the Army program reveal, and second, what is known about the efficacy of teaching resilience in the workplace generally?



Research from the Army Program

The MRT portion of CSF2 was studied extensively. The Army established an evaluation program led by the Walter Reed Army Institute for Research, which conducted follow up research and issued a series of four Technical Reports outlining the findings of many different aspects of the program.²⁰

TECHNICAL REPORT #1

The first report looked at correlations between soldiers' resilience/psychological health ("R/PH") as measured by the Army's Global Assessment Tool and outcomes of interest to everyday Army function and performance. It found that soldiers who had higher levels of R/PH were²¹ :

- Less likely to test positive for drug use
- Less likely to commit violent crimes
- Less likely to commit suicide

TECHNICAL REPORT #2

The second report focused on the officer population and showed that those officers who had higher levels of R/PH²² :

- Were promoted ahead of schedule
- Assigned to tougher tasks/jobs (more likely to be promoted to command positions)
- Achieved the rank of Brigadier General (a 1-star General) faster than their less resilient peers



TECHNICAL REPORT #3

The third report assessed eight groups of soldiers (“Brigade Combat Teams” or “BCTs”). Four of the BCTs had MRTs embedded with them as part of their company, and were designed as the “treatment” units. Four of the BCTs did not include any MRTs during the evaluation and therefore served as the “control” group. The results were as follows²³ :

1. Soldiers in units with MRTs had higher R/PH at the end of the evaluation period;

2. Soldiers with higher R/PH reported:

- | | | |
|--|--|--|
| → Less catastrophizing (worst-case scenario thinking) | → Higher overall emotional fitness (I incorporate more positive emotions and am better able to manage negative emotions) | → Higher engagement (I would choose my current work again if I had the chance) |
| → Better relationships (I have someone to talk to when I’m down) | | → Better coping skills (when I’m stressed I try to problem solve) |

TECHNICAL REPORT #4

The fourth report, using more sophisticated statistical methods, confirmed the basic findings of the third report and also evaluated resilience training and mental and behavioral health outcomes. The results were as follows²⁴ :

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|--|--|
| → Resilience training had an indirect negative effect on mental health diagnoses by improving soldier optimism and adaptability. Improvements in R/PH associated with resilience training likely yield practically beneficial outcomes | → Resilience training reduced the odds of receiving substance (i.e., drug and alcohol) abuse diagnoses. It appears as though resilience training may be providing soldiers with skills to more effectively respond to stress, which may in turn reduce the need to turn to alcohol and drugs |
|--|--|



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In this pool of data alone, there is considerable ROI to discuss, both from a financial and a well-being standpoint. Technical Report #4 included a sample size of 7,230 soldiers. In the MRT condition (those

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Resilience training was found to be especially beneficial for mental health and subjective well-being outcomes, such as stress, depression, anxiety and negative affect/emotion.

soldiers who received MRT training), diagnosis of substance abuse occurred in 1.16% of soldiers, whereas in the control group (soldiers who did not receive MRT training), the diagnosis of substance abuse occurred in 2.85% of soldiers. MRT more than halved substance abuse diagnoses. Projected across one million soldiers, this would equate to 11,600 as opposed to 28,500 cases of substance abuse, a difference of 16,900. If each case cost the Army \$20,000 (likely a substantial underestimate), **MRT WOULD HAVE SAVED THE ARMY \$340 MILLION**, to say nothing of a massive reduction in suffering.²⁵

Part
2

Research from the Workplace Generally

Given the myriad challenges legal employers face, and the challenges within the workforce generally, many employers are turning to resilience programs to help employees more effectively manage the stress associated with change, uncertainty, job demands, lack of resources and general low levels of well-being. Separate and apart from the research showing the success of the MRT program, what does the research say about the efficacy of teaching and training resilience in the workplace?

More than a decade of research supports the importance of resilience in the workplace for employee well-being.²⁶ In general, the studies that have been reviewed offer support for the positive impact of resilience training—in 13 of the 14 reviewed studies, there was a statistically significant change in at least one of the dependent variables.²⁷ Here is a summary of the results:

→ **Self-efficacy (the belief in your ability to overcome adversity and succeed) is an important building block of resilience. Three studies looked at the link between resilience and self-efficacy, and all three studies showed a positive effect.²⁸ Other research also shows a strong correlation between resilience and self-efficacy.²⁹**



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- Two studies examined how resilience impacted performance outcomes; specifically, observed performance and goal attainment. Both studies showed large effects for both observed performance and goal attainment. In addition, one study found that resilience training resulted in significantly higher levels of productivity.³⁰
- Resilience training was found to be especially beneficial for mental health and subjective well-being outcomes, such as **STRESS, DEPRESSION, ANXIETY AND NEGATIVE AFFECT/EMOTION**.³¹ This is a particularly important finding, given the challenges the legal profession faces in these areas.
- In a separate study, resilience was found to be negatively associated with both exhaustion and cynicism (the two main dimensions of burnout) and counterproductive work behavior (such as rude behavior generally and embarrassing others).³²

A number of practical considerations need to be considered in the way resilience training programs are conducted and delivered. To date, the more direct delivery formats of course material, like in-person training, small group work, and 1:1 coaching, have been shown to be more effective at building resilience.³³ With live, in-person training, trainers can apply course content to specific experiences and situations and better hold participants accountable.³⁴

Technology-based delivery methods of resilience training have shown less favorable results; however, experts believe that as the technology used to deliver these programs improves, the efficacy of these programs will improve as well.³⁵ I think that technology-based tools provide an excellent way to deliver the material as a course refresher or supplement to the other training formats. In fact, the Penn team has recorded a number of training videos that have been made available to MRT graduates as a way to update and refresh their knowledge once the course is completed.

Those studies where resilience training has not been shown to be as effective have suffered from a number of design-related flaws. Some studies suffer from a lack of consistency in how resilience is defined and subsequently measured. For example, one study focused on developing resilient thinking, but then used a resilience measure that assessed resilience qualities that did not include resilient thinking.³⁶ In another study, researchers indicated that their training targeted resilience, but then used a tool that measured hardiness (a separate construct that differs from resilience).³⁷



For firms and organizations that seek to incorporate resilience training on a more wide-scale basis and thus wish to more directly measure outcomes, note that while there are more than a dozen measures of resilience, most have proven to be psychometrically unsound, and many were created with a clinical focus that doesn't translate well to resilience at work.³⁸ These three measures have received superior psychometric ratings: the Connor-Davidson Resilience Scale, the Resilience Scale for Adults and the Brief Resilience Scale (“BRS”).³⁹ I am currently piloting a resilience and burnout prevention program at the Medical College of Wisconsin, and we are using the BRS to measure resilience outcomes.

Fortunately, researchers are beginning to create good scales that measure the experience of resilience at work. To my knowledge, these are the workplace-specific resilience measures: The Workplace Resilience Inventory⁴⁰ and the Resilience at Work Scale, for individuals, and newer versions for leaders and teams, just published within the past year.⁴¹

Separately, I created a Resilience Resources Inventory (the “RRI”) that is being reviewed for use by my colleagues at the Medical College of Wisconsin. The RRI is a combination of my own resilience-related statements plus those I have adapted from seven other peer-reviewed and validated inventories. While the RRI has not been peer-reviewed or otherwise validated scientifically, it provides a substantial list of statements you can use in coaching, leadership, and talent development conversations. Please feel free to contact me for a copy at paula@pauladavislaack.com.



Resilience Insights

I HAVE BEEN TEACHING resilience skills in some fashion for more than seven years. Resilience is a popular term that resonates with people, but there are different versions of, and different definitions for, what it means.

When I ask people to define the term, I usually hear some version of “bouncing back,” staying “tough,” or dealing with stress in a better way. The research literature can further muddy the waters because most definitions of resilience were often created from clinical or trauma-related studies. The type of resilience that I teach, and the type of resilience the Army employed, is work resilience, and there are three main components⁴²:

1. **CAPACITY** *How do you manage the everyday challenges, pressures, and stressors you face in a healthy way?*
2. **ADAPTABILITY** *When you do face a setback, how quickly can you adapt to the challenge and bounce back?*
3. **GROWTH** *What lessons can you learn from the setbacks, pressure, and stress so that you can prepare for future challenges pro actively?*

As a result, I think about resilience at work as the science of adaptability and define it as your capacity for stress-related growth. After many decades of research, we know that resilience is also not a fixed trait that you either have or don't have; rather, it's a set of skills that you can build.⁴³

Importantly, law firms and organizations are made up of interconnected systems that continue to evolve, so training resilience to a group of individuals isn't enough. In order to sustainably build resilience at work, you need to focus on individuals, the teams they work within, the leaders who support them, and organizational structures that support desired behaviors and outcomes.⁴⁴



Here are six insights or ideas about resilience for lawyers and legal professionals based on my work:



RESILIENCE IS A CORE SKILL FOR LEADERS.

An important driver of organizational culture is leadership, and leadership behavior is highly correlated with job satisfaction.⁴⁵ How a manager leads can either increase or decrease resilience. Law firm talent management consultant Terri Mottershead writes that, “In the new normal, it is critical that law firms place [resilience] high on the list of “must haves” in their leadership job descriptions and support its development in emerging leaders.” In addition, Harvard law professors Scott Westfahl and David Wilkins identify resilience and cognitive reframing as important leadership and professional skills lawyers should develop.⁴⁶



RESILIENCE IS A CORE SKILL FOR TEAMS.

Collaboration is a hot topic in the legal profession. Heidi Gardner’s research shows that collaboration leads to increased revenues and firm profits, enhanced client loyalty and retention, produces innovative outcomes, and helps with transparency and risk management.⁴⁷ Innovation is another team-related hot topic in the legal profession, and is a process that is full of stops, starts, missteps, failure, slow results, and challenges generally. Research shows that teams that are able to discuss both positive and negative experiences in a clear way are better able to work through adversity, have higher levels of trust, and higher levels of resilience.⁴⁸



ORGANIZATIONS NEED TO BE AN EQUAL PARTNER.

I have many stress and resilience skills I can teach lawyers and legal professionals; however, if upon learning these skills they return to a culture (processes, values, and systems) that doesn’t care about or support this development, then it will be hard to move the needle toward the beneficial outcomes we know exist from this type of training.

Resilient organizations have four main qualities: (a) They establish trust and respect among their members; (b) value employee contributions; (c) communicate regularly with employees; and (d) take employee needs into account when creating new initiatives.⁴⁹



Creating a resilient organization is not a one-size-fits all approach because each organization is unique; however, five practices emerge as beneficial: (a) creating opportunities for excellence (challenge, growth, and development); (b) providing policies that promote work-life fit and flexibility; (c) creating opportunities to be involved in organizational decision making and providing more autonomy generally; (d) providing consistent recognition; and (e) establishing psychological safety as a priority.⁵⁰

Generally, here are some resilience TNTs to get you started that cost no money and take very little time:

- **Say thank you more (probably much more) than your current practice**
- **Offer FAST feedback (frequent, accurate, specific, timely)**
- **Be clear when giving assignments and talk to other partners or senior associates on the team in order to minimize conflicting requests and ambiguity (two known accelerants of burnout)**
- **Make constructive feedback a learning-focused, two-way conversation**
- **Keep people informed of changes**

Outgoing American Bar Association President Hilarie Bass created an initiative during her tenure to examine the disproportionately high rates of attrition of women lawyers practicing more than 20 years. A central finding of the initiative is the fact that law firms need to make structural changes to help prevent women from leaving.⁵¹ At the kick off summit for this initiative at Harvard Law School, a panel of experts had the following recommendations (many of which correlate with the research outlined above)⁵²:

- **Transparency is key—women often have less access to sponsors who can explain internal firm politics and structures**
- **Accountability is critical—law firms and organizations need to track who gets access to training and who gets promoted**
- **Tackle the compensation problem—law firm compensation, in particular, is subject to lack of transparency, few metrics, and is highly susceptible to subjective factors**
- **Prioritize work-life fit and flexibility—some ideas included having access to support and emergency or back up childcare and/or elder care, using all available technology so lawyers can do their jobs anywhere, part-time partnerships, and ramp-up and ramp-down arrangements**



Finally, I can't say enough about the importance of recognition. Being recognized feels so good because it's a true sign of belonging. One of our MRT trainings included a very special participant—the Sergeant Major of the Army (the “SMA”). The SMA is the highest-ranking enlisted soldier in the Army, and there have only been 15 of them to date. As the SMA was preparing to leave, he called all of the training team to the front of the plenary room. We didn't know what was going on, but did as we were told. After a few words, the SMA gave each training team member one of his coins—a symbol of recognition, gratitude, and hard work. He shook each of our hands and thanked us for our service to our country. That coin is one of my most treasured possessions, and the moment is one I will remember for the rest of my life. Research suggests that while we adapt to money pretty quickly, we never quite get used to feeling respected.⁵³



RESILIENCE INVOLVES CROSS-EXAMINING FAULTY THINKING.

Lawyers spend years learning, and then practicing how to “think like a lawyer.” Professionally, lawyers are responsible for doing all of the due diligence in a matter, analyzing what could go wrong in a situation and steering their clients away from negative impact. That's important when lawyers are engaged in the practice of law; however, when lawyers practice looking at issues through such a pessimistic, rigid lens 12-14 hours a day, that thinking style becomes harder to turn off when it's not needed. Ultimately, it can undercut leadership capabilities, interactions with clients, staff and family and the way life is viewed generally.

Resilient lawyers and legal professionals cross-examine and reframe their unproductive thinking in the following ways⁵⁴ :

→ They seek to quickly understand where they have a measure of control, influence or leverage in the situation instead of wasting their time and energy on things they can't control

→ They look for measurable and specific evidence to support the accuracy of their thoughts

→ They look for the middle ground to diffuse black-and-white or all-or-nothing thinking styles

→ They think about what they would tell a friend in the same situation (we often say things to ourselves that we wouldn't say to a friend or family member)



“

In order to sustainably build resilience at work, you need to focus on individuals, the teams they work within, the leaders who support them, and organizational structures that support desired behaviors and outcomes.



GOOD RELATIONSHIPS DRIVE RESILIENCE.

Lawyers cultivate high-quality relationships by paying attention to their “relational energy.” Relational energy is how much your interactions with others motivate, invigorate and energize, rather than drain or exhaust. Not surprisingly, research showed that a person’s relational energy network predicted both job performance and job engagement better than networks based on influence or information.⁵⁵ In addition, developing high-quality connections with others has been shown to be an important building block of long-term well-being in the legal profession.⁵⁶

Connecting lawyers to one another doesn’t just help them like being at work—it leads to quantifiable gains in their performance. Workplace friendships are one of the strongest predictors of productivity, and those people who say that they have strong, supportive colleagues at work get sick less often, are more focused, are more loyal to their organizations and change jobs less frequently.⁵⁷

Unfortunately, lawyers have some work to do in this area. A survey first reported in the *Harvard Business Review* and discussed in an Above the Law article, shows that lawyers are the loneliest professionals with more than 60% of them ranking above the standard on measures of loneliness.⁵⁸ This and other studies have found that loneliness greatly impacts our health; in fact, it is the equivalent of smoking 15 cigarettes a day.⁵⁹

A lawyer colleague and I recently talked about her sense of isolation. She’s a partner with a busy practice, and her mentor of 20+ years recently retired. She’s not as close with the other partners in her



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practice group, and she just finished several years in management, including a stint on the firm's management committee. Managing peers was a challenge for her and reintegrating back into her lawyer-only, non-management role has been tough. The people who she formerly relied on are gone, in different roles, or existing relationships have changed.

Insight
6

*RESILIENCE REQUIRES
RECHARGING.*

Thriving at work is a state where lawyers and legal professionals feel both (1) a sense of vitality (energized) and (2) that they are learning. People who thrive at work are healthier, more resilient, and more focused, and experience far less burnout compared with their peers.⁶⁰ Resilience is triggered when lawyers and legal professionals regularly manage their balance of job demands (energy draining aspects of your work) and job resources (motivational and energy giving aspects of your work), use their strengths on a regular basis, and connect to sources of meaning and positive emotions.⁶¹

Lawyers and legal professionals should try to regularly connect with sources of meaning and positive emotions.



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Ideas for Your Law Firm or Organization

Resilience Topics

The lawyers I work with consistently report wanting to learn more about resilience as applied in the following areas:

Resilience & Stress Management/Burnout Prevention. This is my flagship course, and I talk about my own burnout story, warning signs, gender differences, and the burnout formula. I give lawyers and leadership teams strategies to increase both organizational and individual resilience and well-being.

Becoming Resilient Leaders. Resilience is a core skill for leaders. I incorporate resilience concepts into traditional leadership development programs and help lawyers learn how to coach resilience skills in their role as leader and/or mentor.

Building Resilient Teams. Resilience is a core skill for teams. I infuse resilience concepts into the development of high-quality relationships and teams.

Resilient Innovation. This is a specific teams-based course where I work with my colleague, Tom Heffner, to teach both resilience and design thinking tools to help lawyers both learn the process of innovation and know how to adapt to innovation challenges.

Creating Resilient Organizations. I help attorneys at all levels and management understand the specific building blocks of creating resilient organizations with specific strategies to start implementing.

Cross-Examine Your Thinking™. In this course I teach specific cognitive-based skills to help lawyers and legal professionals recognize and reframe counterproductive thinking.

You can read more about these programs at pauladavislaack.com under the “Law” tab.

Audiences in Addition to Practicing Lawyers

Clients. Law firms often ask me to speak to their clients on both burnout and resilience-related topics. Many law firms service large companies whose employees are experiencing a great deal of change, stress, burnout, and leadership challenges. Not only does this provide a nice networking opportunity, but clients also appreciate that their



firm is addressing challenges from a holistic framework, beyond just focusing on legal concerns.

Law Firm Administration. A big takeaway from this e-book is that embedding resilience into your organizational culture starts with leadership. I often teach shorter, executive style courses to law firm administration to build buy-in, awareness and support among law firm and organizational leadership.

Legal Professionals. Talent officers, diversity and inclusion, professional development, and HR professionals can benefit from these skills not only personally, but as a supplement to existing coaching, training, and development programs. Train-the-trainer programs are particularly impactful with this group.

Spouses, Significant Others, and Key Family Members. I was honored to help pilot the Army's resilience training course for spouses, which has become one of the most successful iterations within CSF2 to date. Key family members and friends of attorneys are often on the receiving end of the stress and challenges lawyers bring home and often don't know what to do to help. Having a common "resilience language" helps family members generally deal with stress and pressure in a more healthy way.

Some Additional Thoughts...

→ My friend and MRT colleague, Lt. Col. Sylvia Lopez Johnson, travels with me on occasion to various law-related programs to talk about how resilience skills have informed her leadership style, help her manage stress, and how she continues to teach the skills to others in the military today as a senior officer. Her remarks are impactful and well-received by attorneys and legal professionals at all levels of practice. Other MRT friends and colleagues have assisted me in various trainings as well.

→ These programs consistently qualify for various types of CLE credit, depending on the state. They have also qualified for the newer mental health and diversity and inclusion CLE credits in certain states.

Next Steps

To learn more about my training programs, products, and services, please visit pauladavislaack.com. You may reach me directly at paula@pauladavislaack.com.



Client Success Stories

I have been doing these Senior Administrator meetings for a long time, and you are by far the best external speaker we've ever had.

—**Joe Palermo, Former Chief Operating Officer, K&L Gates LLP**

Paula is one of the most knowledgeable experts on stress and resilience in the legal world and beyond! Her practical and effective approach to teaching these much-needed skills to individuals and counseling organizations to develop these skills in their talent is unmatched. She taught an online course for our OnRamp Fellows (women returning to the legal profession) and every single one of them gave her 5 stars (out of 5!). She is phenomenal!

—**Caren Ulrich Stacy, CEO, Diversity Lab**

I just wanted to take a moment to send you a note of thanks for coming to talk to our new partners about stress and resilience. The candor of your discussion, coupled with the practicality of your advice, made a strong impression on our participants, and I believe could make a real difference for them going forward.

—**Michael R. Estell, Senior Talent Development Consultant, K&L Gates LLP**

I wanted to connect to say how much I enjoyed your presentation [on resilience] to the National GC group in Toronto last week. I have heard so many speakers over 20 years; most of them on this topic annoy me or depress me, or anger me for trite or pat solutions that ignore realities. Or worse, overwhelm me! For all kinds of reasons, your presentation (oral and slides) had a much different impact on me. Thank you!

—**Jane Langford, VP/Legal (Corporate Office & Corporate Operations), TD Bank Group**

Paula was the keynote speaker and led a breakout session at Holland & Hart's Women's Forum retreat. She focused on what resilient lawyers do differently to deal with changes and challenges of every type – from day-to-day occurrences to shifts in the legal industry. We received very positive feedback from our attendees, many of whom spoke about Paula's energy and enthusiasm and their appreciation for her practical



advice. Paula's stories from her time as a practicing attorney were both humorous and relatable. It's hard to find speakers who understand the life of a female attorney in private practice, so we were very fortunate to have found Paula.

—Leslie S. Boyle, Partner, Holland & Hard LLP

I have thought about a number of things from your session—I have changed my password!—and have reflected on how the accumulation of the little things can really undermine my ability to cope, or bounce back, and how important it is to think about how to rethink the little things! Your work matters! You make the world a better place!

—Bindu Cudjoe, Vice President, Deputy General Counsel & Chief Knowledge Officer, BMO Financial Group

Paula was one of the speakers at our Women General Counsel Canada 2018 National Conference. Her presentation on resilience for lawyers won rave reviews from our conference attendees. She was engaging and informative and her presentation provoked lively discussion and solid takeaways.

—Hilda Wong, Senior Vice President & General Counsel, First National Financial LP



About the Author

PAULA DAVIS-LAACK, JD, MAPP, is a former practicing lawyer, speaker, consultant, media contributor, and a stress and resilience expert who has designed and taught resilience workshops to thousands of professionals around the world.

Paula left her law practice after seven years and earned a master's degree in applied positive psychology from the University of Pennsylvania. As part of her post-graduate training, Paula was selected to be part of the University of Pennsylvania faculty teaching and training resilience skills to soldiers as part of the Army's Comprehensive Soldier and Family Fitness program. The Penn team trained resilience skills to more than 40,000 soldiers and their family members.

Her articles on stress, burnout prevention, resilience, and thriving at work are prominently featured on her blogs in *The Huffington Post*, *Forbes*, *Fast Company* and *Psychology Today*. She is the author of several e-books, including, *Addicted to Busy: Your Blueprint for Burnout Prevention* and *STRONG: Stress Relief Strategies When You Have 10 Minutes or Less*.

She is a contributing author to several books, including, *Character Strengths Matter: How to Live a Full Life* (2015), a chapter about resilience in *The Best Lawyer You Can Be* (2018), and a chapter about her burnout prevention and resilience work with the Medical College of Wisconsin in the forthcoming *Appreciative and Relationship Practices in Healthcare*.

Her expertise has been featured in and on *O, The Oprah Magazine*, *Redbook*, *Men's Health*, *Time.com*, *Today.com*, The Steve Harvey TV show, *Huffington Post Live* and a variety of media outlets. She has also been featured in and on the *Lawyerist*, *Law360.com*, various ABA webinars and publications, and the *Women's Law Journal*. Paula was recently named a "Trusted Advisor" to the Professional Development Consortium.

She is the Founder and CEO of the Stress & Resilience Institute, a training and consulting firm that partners with law firms and organizations to develop resilient teams and leaders and to create cultures that promote well-being and minimize burnout (pauladavislaack.com). You can reach Paula at paula@pauladavislaack.com.



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“We can only be said to be alive in those moments when our hearts are conscious of our treasures.”

—Thornton Wilder

My experience working with the men and women of the United States Army, the DA civilians who support them, and the soldiers’ spouses and family members is an experience I will treasure for the rest of my life. To say that I was broken after burning out is an understatement. It is not an exaggeration to say that the person I am today is a direct reflection of every story I heard and word of encouragement the soldiers gave to me along this journey. I learned from them the meaning of sacrifice, honor, loyalty, and what it means to be part of something bigger than oneself. Many of them have become close friends and family members. Thank you will never be enough for a group of people who put their lives on the line consistently so that I can enjoy the freedoms and privileges of this great country, but to all the soldiers, spouses, and family members, a most sincere and heartfelt thank you.

I started this e-book by talking about my grandpa. He never talked about his experiences in WWII, and I only recently learned a key piece of his story. My grandpa was not drafted into the war—he voluntarily enlisted. Why? So that his best friend Ray, who was drafted, didn’t have to go alone. If that’s not the essence of friendship and love, I don’t know what is. I couldn’t be more proud to be his granddaughter.



1 This list is informed by my many conversations with lawyers, law firm principal administrators and professional development personnel, along with more scholarly articles such as: Terri Mottershead (2016). Introduction: The Survival Imperative—Innovating Through Talent Management in Law Firms *in Innovating Talent Management in Law Firms* 7-89 (Terri Mottershead, Ed.; Washington, D.C.: National Association for Law Placement)

2 See a summary of studies listed in the National Task Force on Lawyer Well-Being report titled, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (the “Report”) 50-52. You can download a copy of the Report here:

<https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportFINAL.pdf>

3 Firm Administrator Conference of a large legal malpractice insurance carrier. August 2017.

4 *Id.*

5 *Supra* note 2.

6 Patrick R. Krill, Ryan Johnson & Linda Albert, *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 *J. Addiction Med.* 46 (2016); See also Eilene Zimmerman (July 15, 2017) *The Lawyer, the Addict*, *New York Times* retrieved online at <https://www.nytimes.com/2017/07/15/business/lawyers-addiction-mental-health.html>

7 Jerome M. Organ, David B. Jaffe & Katherine M. Bender (2016). *Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Abuse and Mental Health Concerns*, 66 *J. Legal Educ.* 116 (2016).

8 David L. Chambers (2013). *Overstating the Satisfaction of Lawyers*. *Law & Soc. Inquiry* 1-21.

9 Jerome M. Organ (2011). *What Do We Know about the Satisfaction/Dissatisfaction of Lawyers? A Meta-Analysis of Research on Lawyer Satisfaction & Well-Being*. 8(2) *University of St. Thomas Law Journal* 225-274.

10 Lotte N. Dyrbye et al. (2017). *Burnout among Health Care Professionals: A Call to Explore and Address This Underrecognized Threat to Safe, High-Quality Care*. NAM Perspectives, Discussion Paper, National Academy of Medicine, Washington, DC. See also a great paper introducing physician well-being efforts by Larissa R. Thomas, Jonathan A. Ripp & Colin P. West (2018). *Charter on Physician Well-Being*. 319(15) *J. Am. Med. Ass’n.* 1541-1542.

11 The study about the public defenders can be found at Andrew P. Levin, et al. (2011). *Secondary Traumatic Stress in Attorneys and Their Administrative Support Staff Working with Trauma-Exposed Clients*. 199(2) *J. Nerv. Ment. Dis.* 946-955. The other study can be found at Susan E. Jackson et al. (1987). *Correlates of Burnout among Public Service Lawyers*. 8(4) *J. Occupational Behav.* 339-349.

12 Kirsi Ahola and Jari Hakanen (2014). Burnout and Health 10-31 *in Burnout at Work* (Michael P. Leiter, Arnold B. Bakker, & Christina Maslach Eds. New York, NY: Psychology Press)

13 Thank you to my friend and colleague, Scott Westfahl for his insights in this paragraph. See Scott Westfahl (2015). *Learning to Lead: Perspective on Bridging the Lawyer Leadership Gap in Leadership for Lawyers* 79-88 (Rebecca Normand-Hochman & Heidi K. Gardner, Eds. Globe Law and Business Limited).

14 All of the information in this paragraph, including the quote, comes from George W. Casey, Jr., (2011). *Comprehensive Soldier Fitness: A Vision for Psychological Resilience in the U.S. Army*. 66(1) *Am. Psychol.* 1-3. Note that the program was initially called Comprehensive Soldier Fitness, but changed its name to Comprehensive Soldier and



Family Fitness as the program evolved to train spouses and family members.

- 15 Martin E.P. Seligman (2018). *The Hope Circuit*. 326 (New York, NY: Public Affairs). The MRT program was developed based on a number of programs created and empirically validated by the University of Pennsylvania, including the Penn Resilience Program (“PRP”), a parallel program called APEX, and also incorporated a number of positive psychology concepts. The PRP has been evaluated in at least 19 controlled studies and while some inconsistent findings have been reported, the studies suggest that PRP significantly reduces symptoms of depression and anxiety and helped participants perform better. More importantly, in the studies that included long-term follow-ups, PRP resilience skill effects were found to last for two years or more. In addition, the research on the PRP also demonstrated that teachers who are trained in the PRP can subsequently teach resilience skills effectively, lending support to the train-the-trainer model developed by Penn and incorporated in the MRT resilience program. The research supporting these statements is as follows: Jane E. Gillham, Karen J. Reivich & Lisa H. Jaycox (2008). *The Penn Resiliency Program* (also known as the Penn Depression Prevention Program and the Penn Optimism Program). Unpublished manuscript, University of Pennsylvania; Jane E. Gillam et al. (1991). *The APEX Project: Manual for Group Leaders*. Unpublished manuscript, University of Pennsylvania; see also, Karen Reivich, Andrew Shatte, & Jane Gillham (2003). *Penn Resilience Training for College Students: Leader’s Guide and Participant’s Guide*. Unpublished manuscript, University of Pennsylvania; and Steven M. Brunwasser, Jane E. Gillham, & Eric S. Kim (2009). *A Meta-Analytic Review of the Penn Resiliency Program’s Effects on Depressive Symptoms*. 77, *J. of Consulting and Clinical Psychol.* 1042-1054.
- 16 While I have heard this story told many times, you can read more about how the program was created here: Martin E.P. Seligman (2018). *The Hope Circuit*. 311-327 (New York, NY: Public Affairs); see also Karen J. Reivich, Martin E.P. Seligman & Sharon McBride (2011). *Master Resilience Training in the U.S. Army*. 66(1) *Am. Psychol.* 25-34. Also, personal conversation with Lt. Col. Sylvia Lopez Johnson as to the current number of MRTs.
- 17 I would like to thank and acknowledge Dave Shearon for letting me use his own previous writings about the Army resilience training for this section, and for sharing the data he collected about his own work with the Tennessee Commission.
- 18 Hilarie Bass, ABA Works to Address Attorney Substance Use and Mental Health Disorders, *ABA Journal* (December 2017). You can download a copy of the letter here: http://www.abajournal.com/magazine/article/attorney_substance_use_mental_health_disorders/
- 19 Paula Davis-Laack & Patrick Krill (February 2018). *How and Why to Bring the Lawyer Well-Being “Movement” to Your Firm*. PD Quarterly 5-9.
- 20 A collection of both the empirical research and the mainstream media articles published about CSF2 and MRT can be found at the University of Pennsylvania’s Positive Psychology Center website at <https://ppc.sas.upenn.edu/services/resilience-training-army>
- 21 Paul B. Lester et al. (2011). Evaluation of Relationships between Reported Resilience and Soldier Outcomes. Report Number 1: Negative Outcomes (Suicide, Drug Use, & Violent Crimes) (Report No. 1).
- 22 Paul B. Lester et al. (2011). Evaluation of Relationships between Reported Resilience and Soldier Outcomes: Report Number 2: Positive Performance Outcomes in Officers (Promotions, Selections, & Professions) (Report No. 2).
- 23 Paul B. Lester et al. (December 2011). Report #3: Longitudinal Analysis of the Impact of Master Resilience Training on Self-Reported Resilience and Psychological Health Data.
- 24 P.D. Harms et al. (April 2013). Report #4: Evaluation of Resilience Training and Mental and Behavioral Health Outcomes.
- 25 *Supra* Note 15, *The Hope Circuit*, at 322-323.



26 Ivan T. Robertson et al. (2015). Resilience Training in the Workplace from 2003-2014: A Systematic Review. 88 J. of Occupational and Organizational Psychol. 533-562.

27 *Id.*

28 *Id.*

29 Paula Davis-Laack (January 10, 2018). How to Build Confidence and Conquer Self-Doubt, Forbes.com, retrieved on April 13, 2018 at <https://www.forbes.com/sites/pauladavislaack/2018/01/10/how-to-build-your-confidence-conquer-self-doubt/#2782d9115d7c>

30 *Supra* note 25 at 553.

31 *Id.*

32 Mindy K. Shoss, Lixin Jiang & Tahira M. Probst (2018). *Bending without Breaking: A Two-Study Examination of Employee Resilience in the Face of Job Insecurity*. 23(1) J. of Occupational Health Psychol. 112-126.

33 Adam J. Vanhove et al. (2015). Can Resilience Be Developed at Work? A Meta-Analytic Review of Resilience-Building Programme Effectiveness. P.D. Harms Publications. Paper 11. University of Nebraska-Lincoln.

34 *Id.*

35 *Id.*

36 *Supra* note 26 at 554-555.

37 *Id.*

38 Gill Windle, Kate M. Bennett & Jane Noyes (2011). A Methodological Review of Resilience Measurement Scales. BioMed Central Ltd. Retrieved online on April 13, 2018 at <https://hqlo.biomedcentral.com/articles/10.1186/1477-7525-9-8>

39 *Id.*

40 Matthew J.W. McLarnon & Mitchell G. Rothstein (2013). *Development and Initial Validation of the Workplace Resilience Inventory*. 12(2) J. of Personnel Psychol. 63-73.

41 Peter C. Winwood, Rochelle Colon & Kath McEwen (2013). *A Practical Measure of Workplace Resilience: Developing the Resilience at Work Scale*. 55(10) Am. C. of Occupational and Env'tl Medicine 1205-1212. *See also* Kathryn McEwen & Carolyn M. Boyd (2018). *A Measure of Team Resilience: Developing the Resilience at Work Team Scale*. 60(3) J. of Occupational and Env'tl. Med. 258-272.

42 David Fletcher and Mustafa Sarkar (2013). *Psychological Resilience: A Review and Critique of Definitions, Concepts, and Theory*. 18(1) Eur. Psychologist 12-23.

43 Ann S. Masten (2001). *Ordinary Magic: Resilience Processes in Development*. 56(3) Am. Psychol. 227-238. *See also* Carolyn Youssef and Fred Luthans (2007). *Positive Organizational Behavior in the Workplace: The Impact of Hope, Optimism, and Resilience*. 33 J. Mgmt. 774-800.

44 I admire and respect the work of Dr. Kathryn McEwen in this area (workplace resilience). The ideas in this paragraph are supported by her work. *See* Kathryn McEwen (2018). *Resilience at Work: A Framework for Coaching and Interventions*. You can download her white paper at www.workingwithresilience.com.au

45 Yafang Tsai (2011). *Relationship between Organizational Culture, Leadership Behavior and Job Satisfaction*. 11(1) BMC Health Services Research 98.

46 Scott A. Westfahl & David B. Wilkins (June 2017). *The Leadership Imperative: A Collaborative Approach to Professional Development in the Global Age of More for Less*. 69 Stanford L. Rev. (June 2017).

47 Heidi K. Gardner (2016). *Smart Collaboration: How Professionals and Their Firms*



Succeed by Breaking Down Silos. (Boston, MA: Harvard Business Review Press).

48 John Paul Stephens et al. (2013). *Relationship Quality and Virtuousness: Emotional Carrying Capacity as a Source of Individual and Team Resilience*. *J. of Applied Behav. Sci.* 1-29.

49 Matthew J. Grawitch and David W. Ballard (2016). Introduction: Building a Psychologically Healthy Workplace 3-11 in *The Psychologically Healthy Workplace* (Matthew J. Grawitch and David W. Ballard, Eds. Washington, D.C.: The American Psychological Association).

50 *Id.*

51 American Bar Association news article (August 4, 2018). *Law Firms Need to Make Structural Changes to Keep Women from Leaving, Panel Says*, retrieved online on August 9, 2018, at https://www.americanbar.org/news/abanews/aba-news-archives/2018/08/law_firms_need_toma.html

52 ABA Presidential Initiative on Achieving Long-Term Careers for Women in Law: Report on the National Summit Held at Harvard Law School November 7-8, 2017.

53 Roy F. Baumeister and Mark R. Leary (1995). *The Need to Belong: Desire for Interpersonal Attachments as a Fundamental Human Motivation*. 117(3) *Psychol. Bulletin* 497-529.

54 There are a number of effective ways to help people reframe counterproductive thinking and to give themselves perspective. These were taken from Judith S. Beck (2011). *Cognitive Behavior Therapy, 2nd Edition*. (New York, NY: The Guilford Press), along with the work of Drs. Martin E.P. Seligman and Karen Reivich.

55 Bradley P. Owens et al. (2015). *Relational Energy at Work: Implications for Job Engagement and Job Performance*. 101(1) *J. of Applied Psychol.* 35-49.

56 Lawrence S. Krieger & Kennon M. Sheldon (2015). *What Makes Lawyers Happy? A Data-Driven Prescription to Redefine Professional Success*. 83 *Geo. Wash. L. Rev.* 554.

57 James K. Harter et al. (2016) The Relationship between Engagement at Work and Organizational Outcomes: 2016 Q12 Meta-Analysis. Here is the link to download the report: http://www.workcompprofessionals.com/advisory/2016L5/august/MetaAnalysis_Q12_ResearchPaper_0416_v5_sz.pdf

58 Shawn Achor et al. (March 19, 2018). America's Loneliest Workers, According to Research. *Harvard Business Review*, retrieved on April 15, 2018 at: <https://hbr.org/2018/03/americas-loneliest-workers-according-to-research>

59 Julianne Holt-Lunstad et al. (2015). *Loneliness and Social Isolation as Risk Factors for Mortality: A Meta-Analytic Review*. 10(2) *Persp. on Psychol. Sci.* 227-237.

60 Christine Porath et al. (2012). *Thriving at Work: Toward Its Measurement, Construct Validation, and Theoretical Refinement*. 33(2) *J. of Org. Behav.* 250-271; see also Gretchen Spreitzer & Christine L. Porath (January-February 2012). Creating Sustainable Performance: Four Ways to Help Your Employees—and Organizations—Thrive. *Harvard Business Rev.* 92-99.

61 An excellent scholarly article outlining the benefits of positive emotions and their connection to resilience is: Michele M. Tugade (2011). Positive Emotions and Coping: Examining Dual-Process Models of Resilience 186-199 in *the Oxford Handbook of Stress, Health & Coping* (Susan Folkman Ed. New York, NY: Oxford University Press).

