

# Positive Psychology for Lawyers— The Benefits of Positive Emotions

By Hallie N. Love

The emerging scientific field known as positive psychology helps us understand how the brain can change, and that we can purposefully change it to create more positive emotions. Positive emotions, in turn, broaden our cognitive capacity allowing flexible, open-minded thinking for creative problem solving and building of personal resources such as skills, knowledge and relationships.

Positive psychology matters a lot in the field of law because, while many lawyers are actually happy, there are perhaps just as many who are not happy. It is well documented that lawyers are more likely to suffer from depression than any other occupational group. In a Johns Hopkins University study of more than 100 occupations, researchers found that lawyers led the country with the highest incidence of depression.<sup>1</sup>

What makes so many lawyers so unhappy?

It appears the world view that makes lawyers effective in their profession can pollute other parts of their life. In other words, many of the qualities that help lawyers succeed in practice such as prudence, aggression, and critical and judgmental thinking are traits that can have disastrous consequences when applied in one's personal life.

Take "prudence," for example. Martin Seligman, Ph.D., former president of the American Psychological Association, and the "father" of positive psychology notes in his book, *Learned Optimism: How to Change Your Mind and Your Life*,<sup>2</sup> that a prudent lawyer strives to uncover every conceivable trap or disaster that might occur in a legal situation. This skill of anticipating a range of problems is highly adaptive for lawyers who then foresee even implausible outcomes and defend against them.

Seligman stresses that the trait of prudence makes a good lawyer, but does not make a happy person. This is because lawyers cannot readily turn it off. What operates in the legal world as "prudence" often determines your thinking in the non-legal world because



the brain is wired to think that way. In the non-legal world, prudence is called "pessimism."

Pessimistic thinking is a way of interpreting the world in which the worst is routinely expected. It affects how we interpret failure and events that don't go well. For example, a pessimist experiencing failure often interprets the event globally: "I'm no good; I'll always fail." Sadness is interpreted as everlasting, with one believing that everything is going to be ruined. The pessimist experi-

ences negative events as pervasive, permanent, and uncontrollable, which can create an all-encompassing unhappiness.

In contrast, an optimistic interpretation style, which can be learned, views negative events as specific, temporary and changeable. When an optimist fails for example, he or she experiences the hurt as specific to the event, and asks "What can I learn from the failure and how can I do better the next time?" The optimist is not immune to sadness, but thinks and experiences it as specific to the event and knows it will pass.

Pessimism in one's personal life creates a high risk for depression. The challenge then is to remain prudent in the practice of law and contain this tendency outside of one's practice. This is where positive psychology comes in. There are exercises that can help lawyers who see the worst-case scenario in every setting become more discriminating in their personal life. Seligman has termed this adaptation as "flexible optimism."

Another common thinking style lawyers have is "perfectionism," which similarly can be corrosive in one's personal life. According to Dave Shearon, who has a master's degree in positive psychology and is former director of Continuing Legal Education in Tennessee, "lawyers tend to be highly ambitious and overachieving, with a tendency toward perfectionism not just in their legal pursuits, but also in nearly every aspect of their life."

When rigidly applied, the propensity to be a perfectionist can impede happiness. Tal Ben-Shahar, Ph.D., provides another

*The State Bar of New Mexico's Lawyers and Judges Assistance Program (JLAP) is pleased to introduce the first in an intermittent six-part series of articles on positive psychology, designed to help enhance members' personal well-being and professional success. In addition, the State Bar and JLAP will launch CLE-approved workshops in positive psychology beginning Sept. 26.*

model that offers a more balanced perspective as an alternative to perfectionism. He calls it “optimalism” and describes it in detail in his book *Being Happy - You Don't Have to Be Perfect to Lead a Richer, Happier Life*.<sup>3</sup>

The “optimalist” believes that when appropriate, “good enough” is the best option, given the demands and constraints of life, Ben-Shahar writes. The optimalist also appreciates life as a whole and regards successes and even failures as opportunities to learn and grow.

In addition to the influence of thinking styles and traits, the heavily charged negative emotions inherent in the legal environment also play a part in lawyer unhappiness.

Take litigation, for example. Litigators are paid to resolve conflict, often between two hostile and irrational sides. In most conflicts that necessitate obtaining a lawyer, the lawyer usually is brought in after things have already gone horribly wrong. In the courtroom, tensions mount and anger, self-righteousness and combative behavior may dominate.

Another source of negative emotions—handling clients’ negative situations and hearing their negative stories on a regular basis—can cause secondary trauma. Counselors and therapists are trained how to handle this to keep it from tearing them down. In the legal world there is little precedent for recognizing the trauma, much less addressing it.

Negative emotions also occur with the high pressures, expectations and stress of the profession. These are exacerbated by many lawyers’ tendencies to focus on the implications of past decisions or events and anxiousness about possible future events.

Fortunately, positive psychology provides realistic solutions to the predicament of negativity in legal practice by offering interventions and exercises that generate positive emotions. One such exercise has us consistently noticing and genuinely appreciating simple pleasures. The word “appreciate” means “to be thankful or grateful,” which is the opposite of taking something for granted. Research on gratitude has repeatedly proven that when we appreciate the good in our lives, we enjoy higher levels of well-being and positive emotions, feel happier and more determined, and are more energetic and optimistic.

An exercise in appreciation: On a regular basis, choose three everyday things you’ve encountered in the past few days or that are around you right now (e.g., warm sunshine on your face, the smell of fresh coffee, trees or flowers, your laptop or mobile device, a person dear to you) and write a few words or sentences addressing what you genuinely appreciate, enjoy or find amazing

about each one. To “genuinely appreciate,” it’s important to allow enough time for the enjoyment and amazement to sink in and the good feelings to linger. Research has proven that regularly experiencing moments of genuine appreciation changes our brains and help us overcome our negativity bias.

The therapeutic yoga exercises and other techniques including Yoga Nidra, described in my book *Yoga for Lawyers - Mind-Body Techniques to Feel Better All the Time*,<sup>4</sup> also help to de-stress and positively boost overall levels of well-being.

Positive psychology introduces ways to change the brain. We can rewire our brains to affect:

- the way we interpret and experience the world, helping us feel more upbeat and optimistic more of the time;
- the way we bounce back from hardships and setbacks, helping us become more resilient; and
- the way we behave, helping us feel more balanced and levelheaded more of the time.

Further, positive people experience enhanced work productivity and are more successful. They typically enjoy a better work-life balance, greater overall well-being and happiness.

We already changed in law school. Neuroscience proves and the experts agree that if we want to, we can change again. Positive psychology offers the empirical research, proven interventions, and exercises to create and deepen the neural pathways that lead to reduced stress. Incorporating these practices can boost your positivity and provide you with many professional and personal benefits including the broadening and building effects of positive emotions.

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<sup>1</sup> Eaton, W.W. (1990). “Occupations and the Prevalence of Major Depressive Disorder.” *Journal of Occupational Medicine*, 32 (11), 1079-1087.

<sup>2</sup> Martin Seligman, *Learned Optimism: How to Change Your Mind and Your Life*. Australia: William Heinemann, 2011.

<sup>3</sup> Tal Ben-Shahar, *Being Happy - You Don't Have to Be Perfect to Lead a Richer, Happier Life*. New York: McGraw Hill, 2011.

<sup>4</sup> Hallie N. Love and Nathalie D Martin, *Yoga for Lawyers - Mind-Body Techniques to Feel Better All the Time*, Chicago: ABA Publishing, 2014.