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WHAT MAKES LAWYERS HAPPY? – AND HOW CAN YOU HELP?

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WHAT MAKES LAWYERS HAPPY? – AND HOW CAN YOU HELP?

SEPTEMBER 21, 2015 | JOHN LANDE | 7 COMMENTS

[*Money can't buy me love.*](#) – Paul McCartney

As a corollary to psychologist McCartney's insight, money can't buy lawyers (much) happiness.

That's one of the key findings of Lawrence Krieger and Kennon Sheldon's impressive study, [What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success.](#)

This post includes excerpts from this article, sans footnotes, but with page references and original emphases.

Krieger and Sheldon define happiness as “subjective well-being,” using established measures for this variable. Their research is based on “self-determination theory” (SDT), a concept similar to that in DR theory. Psychological research on SDT going back several decades shows that “all human beings have certain basic psychological needs—to feel competent/effective, autonomous/authentic, and related/connected with others.” (564).

The findings in this study are consistent with prior research on SDT.

[Prior r]esearch has established that intrinsic values and internal motivations are more predictive of well-being than their extrinsic and external counterparts. Another important construct of SDT is the effect of supportive (versus controlling) supervisors, teachers, or mentors. Research has shown that providing autonomy support to subordinates enhances their ability to perform maximally, fulfill their psychological needs, and experience well-being. (565).

The components of perceived autonomy support include the extent to which the person in authority (1) acknowledges the perspectives or preferences of the other; (2) pro-

vides meaningful choices to the other; and (3) when asserting control rather than providing choices, explains to the other the reasons why that is necessary. (582)

Here's the essence of the study:

[T]he current data show that *the psychological factors* [related to subjective well-being] *seen to erode during law school are the very factors most important for the well-being of lawyers.* Conversely, the data reported here also indicate that the *factors most emphasized in law schools—grades, honors, and potential career income, have nil to modest bearing on lawyer well-being.* (560)

For a more detailed summary of the primary findings, see pp. 576–85, especially figure 2, which graphically illustrates them. See also pp. 617–20.

The study also analyzes numerous other variables that one might assume would affect lawyers' happiness but which generally had little or no correlation.

The Takeaway for Law School Faculty

Krieger and Sheldon give advice that probably validates the approach of most readers of this blog. I think it's worth quoting at length:

For teachers and employers, the findings repeatedly suggest the need for a systematic effort to recast perceptions of “success” in law school and the profession, by shifting institutional emphases from competition, status, and tangible benefits to support, collaboration, interest, and personal purpose.

The research suggests particularly important responsibilities for law teachers. They impact students early in the formation of professional attitudes and identities, and that impact is apparently negative for many students, particularly with regard to the kinds of internal psychological factors found here to be the primary correlates of lawyer well-being.

First, educating law students about these findings should decrease anxiety, stress, and excessive competition, because grades, honors, and the other zero-sum competitive factors measured in the study had limited to nil associations with well-being. By contrast, none of the factors found to bear strongly on well-being involve limited resources; all are products of a student's or lawyer's individual choices.

A second important strategy for law teachers would be to approach the task of teaching legal analysis with humility, clearly conveying to students that, although this skill will enable them to dispassionately analyze and argue legal issues while setting aside their own instincts, values, morals, and sense of caring for others, such a skill must be narrowly confined to those analytical situations. This is not a superior way of thinking that can be employed in personal life, or even in most work situations, without suffering psychological consequences. (624)

One specific cost-effective strategy supported by the data for application in both school and work settings is the provision of autonomy-supportive, rather than controlling, teaching, mentoring, and work supervision. This practice can be learned and, as stated, has been shown to promote broad improvements in well-being, motivation, and performance. (625)

Although this article is relatively long, it is well worth reading by faculty and students alike. Since your students may not get this message elsewhere in their law school experience, you might take the initiative to pass it along to them.

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7 THOUGHTS ON “WHAT MAKES LAWYERS HAPPY? – AND HOW CAN YOU HELP?”

David Webb

DECEMBER 1, 2015 AT 12:59 AM

I wish I would have been able to read this article before my 1L year. I think the author nails the current law school culture to a T and in my experience this culture was especially perpetuated by older professors. During my 1L year I constantly wasted time worry about how well I was doing in my class compared to other students in my case which was especially compounded by the fact that, prior to the final exam, there was no way to objectively evaluate how well you are doing in a class. Although there were times I felt like I was ahead, my confidence was slowly eroded of the process of the semester and I was consumed with stress and anxiety. I do think that some professors and law schools do acknowledge the amount of stress and pressure students are under I think more should be ton to help students.

Charles Biggs

NOVEMBER 30, 2015 AT 8:43 PM

This post brings up some points that I believe are more important than they are given credit for. Being a law student, it can be very difficult to keep things in perspective and remember that there are things important outside of law school. Without remembering this, law school can be overwhelming and too much for some to handle.

I have personally tried to focus on my intrinsic goals and bettering my skills based on my own standards, rather than comparing myself to others. I have found this to be very helpful and more beneficial than focusing on extrinsic goals. However, during my first year of law school that is exactly what I did, focus on extrinsic goals. This added unnecessary stress and I found myself focusing on all of the wrong things. Since I have started focusing more on my own intrinsic goals I have seen not only my skills improve, but I have also seen the quality of my work improve. This in turn has helped me to build the confidence and “well-being” necessary to conquer law school.

I agree with the overall message from this post and I think that many law students around the country would benefit from a change of focus from tangible, extrinsic things to more intrinsic and personal goals. I think it is also important to keep your goals realistic and attainable. Without this a student could do more harm than good if they are consistently failing to meet their goals because they are unrealistic. This could lower a student’s confidence in themselves and hurt their overall performance.

Rexford Sheild

NOVEMBER 30, 2015 AT 7:50 PM

I agree and disagree with this article. First and foremost, I agree with this article because our world, including our legal community, is almost completely digitalized. Face-to-face conversations have gone to the wayside, likewise for even talking to one another over the phone. We constantly communicate through text messages and email. Heck, even if we have a question for a professor about a certain class, we seek out an answer via email, instead of simply walking into their office and having a conversation with them. Moreover, a natural result of this constant digital communication is the possibility of the content losing its message or being misconstrued. This directly relates to expressing empathy toward other individuals in the digital world, especially our future clients, because we cannot see their expressions or hear their general, good or bad, voice inflections.

However, while I acknowledge that a negative correlation exists between expressing empathy and communicating via the digital world, I do not believe that our ability to express empathy is entirely impeded by our presence in the digital space. It is quite possible to dictate our language so as to duplicate and elicit empathy to the best of our ability. Yes, the digital divide will hamper expressing empathy toward clients. Still, we have to adapt to where the market is headed, and that is toward one that will be almost wholly consumed digitally.

At any rate, it will be interesting to read the rest of the article and analyze the proposed strategies to “increase empathy among the Digital Generation so that members of this generation may become successful legal practitioners.” As a student who extensively studied and work in new media during my undergraduate years, I am eager to see what is next.

Edona Ajvazi

NOVEMBER 10, 2015 AT 2:51 PM

Thank you for sharing your insight, John. I believe this article to be very relieving and it should be a staple read for law students, law professors, and lawyers around the world.

In my view, it is abundantly important for law students to feel support as they journey through law school, especially from their peers but even more importantly from their professors. Semester after semester, I often find that the best professors are the ones that enable the students to work together and collaborate with each other, rather than constantly promoting competition and creating an adverse environment.

Further, in my view, teaching students to cooperate creates a strong life lesson and positively affects the students capacity to practice law. This article demonstrates that grades, income, jobs, etc. do not always correlate to happiness, which is significantly important to remember. Often times students develop tunnel vision and do not participate in any type of social interaction with others because they are too caught up on what they think will matter in the end. This article proves that there are more important things in life and one should work harder to aspire to be collaborative with others rather than constantly striving to win and defeat others.

Alicia Anderson

SEPTEMBER 28, 2015 AT 1:01 PM

Thank you for sharing the highlights and your thoughts about the Krieger and Sheldon study. As a current law student nearing graduation, I find myself experiencing several of the fears and anxieties mentioned. It seems all too easy to become overwhelmed with

these anxieties, while overlooking the fact that good grades and high-paying jobs do not always correspond with overall happiness.

While reading your highlights of the study, I could not help but be reminded of the abundance of dispute resolution literature that encourages negotiators to be collaborative and cooperative, rather than competitive, because a “winning” perception in negotiation is usually not the best mindset to have. While it is important to set and obtain goals in a negotiation (as in law school and a career), there are other important objectives that negotiators often overlook, such as maintaining or building relationships. It seems that these other important objectives are often overlooked because a specific monetary value cannot easily be attributed to them. Nevertheless, negotiators must be mindful that “winning” and receiving the better deal in a negotiation are not always the best outcome and may not lead to overall happiness for the lawyer and his or her client.

As such, if law students are taught the importance of “support, collaboration, interest, and personal purpose,” they will not only find greater happiness in their own lives, but they will be better-suited to serve their clients as well.

★ **John Lande**

SEPTEMBER 23, 2015 AT 8:15 AM

I'm glad that you found this post and article valuable, Alyson.

It doesn't change my view of encouraging students to pursue ADR as a first career. As you may know, I wrote about this (and cited your work) on pages 27–28 of my [Last Lecture article](#). I certainly want to encourage students to pursue their internally-generated interests – and also be realistic in developing a strategy that is likely to be successful. As I suggested in my article, students interested in ADR careers should learn about the field, take relevant courses, work hard to develop their skills, be active in the ADR community, and be patient and persistent. Some may be able to work in ADR in their first job after law school as you did. But realistically, some may not be able to achieve their goals until after their first job.

Some people define our field by focusing solely or primarily on professional neutrals. I think that it is important, particularly as law school faculty, to use a broader conception, including roles as advocates. I described this in [one of my first posts on this blog](#) as well as when discussing violence in dispute resolution. In this latter post, I [conceived of our field as trying to minimize unnecessary harm, regardless of whether one's role is as a neutral or advocate](#). As I argued in my Last Lecture article, I think we should teach students that they actually are doing a form of mediation when negotiating on behalf of

clients and that they may find this to be a very professionally rewarding form of dispute resolution.

Part of the problem, in my view, is that many students have unrealistic expectations about legal practice – and also mediation practice. Of course, legal advocacy often involves adversarial dynamics. But lawyers cooperate more than many people think.

And while mediation can provide incredible satisfaction for mediators who help people work through very challenging problems, many mediators feel dissatisfied because they feel obliged to cater to lawyers' expectations just to shuttle back and forth in caucus, exchanging offers and second-guessing what might happen in court.

So, by all means, I think that we should encourage students to reflect thoughtfully on their intrinsically-generated professional goals. I think we also owe it to them to help them realistically analyze their capabilities and options. Given the difficulties in the job market, it is prudent for them to consider several options and the possibility that it may take some time after graduation before they can achieve their goals.

You said that it would have been a great disappointment if you could not get an ADR job right after law school. Not everyone is an Alyson Carrel (or the others on your website). I worry about the students who could succeed in ADR in their second or third jobs, but would get disillusioned because they had their hearts set on getting an ADR job right out of law school.

What do you think?

Alyson Carrel

SEPTEMBER 22, 2015 AT 9:11 AM

Thank you so much for sharing John. I have read other articles with a similar focus, but this seems much more compelling. I am curious how, if at all, this changes your feelings about encouraging students passionate about ADR to pursue it as a first career? for me, this article just cements a belief that I need to support and encourage those students who truly have a passion and desire to work in ADR to pursue their dreams and feel free to ignore the rigid definition of law school success. As the article seems to imply, those traditional markers of success do not necessarily apply to everyone and for those us passionate about ADR, it seemed almost necessary to pursue a path in ADR, even if against all odds. At least for me, To have done anything else, would have led to great disappointment.

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