

WELL-BEING IN THE LAW
COURSE DESCRIPTION AND SYLLABUS
SPRING 2020
PROFESSOR LONNY HOFFMAN

COURSE DESCRIPTION

This course rigorously explores the challenges to well-being and happiness facing law students and legal professionals and then examines possible paths to overcoming those challenges. We will consider a number of questions and hard issues that bear directly on the lives of students now and after they enter the legal profession. These include:

- What are the reasons why so many law students and lawyers report being unhappy?
- What are the obstacles to well-being in the law school/the legal profession?
- In what ways does dissatisfaction manifest itself in the law?
- What can be done to combat these challenges? What can law students and lawyers do to improve their own well-being and the well-being of others?

EDUCATIONAL OBJECTIVES

To help students develop aspects of their professional identity, including learning to value taking responsibility for themselves and others. This is a key educational objective of the course because to be an exceptional lawyer, a law student must acquire more than just technical competence. With rare exception, great lawyers have also cemented within themselves foundationally-strong character traits by prioritizing integrity, effective communication and other relationship skills, good judgment, diligence and conscientiousness, the importance of taking responsibility for themselves and their clients, and responsiveness to feedback.

To constructively confront the emotional difficulties that legal professionals routinely face. Quantitative and qualitative empirical research makes clear that even in the best of times, legal professionals will confront many mental health and other well-being challenges. And life is not always filled with the best of times, of course. Developing resilience is crucial to thriving as a law student and lawyer in the profession.

STUDENT EXPECTATIONS

Attendance. Because of the nature of the class and our once-a-week schedule, student attendance is vital. At most, you can miss no more than two class sessions without penalty. If you have three or more absences, I may lower your grade or drop you from the course. This may be a stricter policy than you are used to in other classes. Before enrolling in this course, you should be confident that you can abide this policy.

Class Participation. All students are expected to constructively participate in the class discussion. *Constructive* participation doesn't refer to the number of times that you participate; the quality of your contribution to the class discussion is what matters. That said, as you'll see

from the syllabus (below), much of class is designed to provide opportunities for students to reflect and comment on the topics we cover, so class participation is treated as an essential part of this course—and that’s why it is worth 20% of the final grade.

Short Reflective Papers. As part of this course, you will write several short reflective papers (usually no more than two to four typed, double-spaced pages). These assignments are noted in the syllabus. Your short papers are due within a week of being assigned. I will separately provide more detailed guidance as to the expected content of the papers and how I will evaluate them. The short papers are worth, collectively, 30% of the final grade.

Longer Paper. You will also write one longer paper. There are two potential topics, broadly outlined below (see Class 8). This paper should be ten typed, double-spaced pages. It is due by Friday, April 24. As with the short reflective papers, I will separately provide more detailed guidance as to the expected content of this long paper and how I will evaluate it. The long paper is worth 50% of the final grade.

COURSE MATERIALS

The only book that I require that you purchase is Nancy Levit & Douglas Linder, *The Happy Lawyer: Making a Good Life in the Law* (2010). If you want to buy it from one of the city’s best local bookstores, call Brazos Bookstore and they’ll order it for you. If you’d rather order it online, there are lots of options. eBooks.com (which gets the highest score from ethicalconsumer.org) has it available for \$11.69. You can also buy it in hard copy from BetterWorld Books, which also generally gets very good marks as a responsible retailer. As of November 2019, used copies were available for \$4.48.

I provide the rest of the course materials for you without charge. They are listed as “CM” in the syllabus. These materials, saved in searchable .pdf format, will also be available electronically at a link on my UHLC webpage. Hard copies of the materials will be available before the semester starts. Included in those course materials are some brief excerpts from a few books that you might be interested in purchasing for yourself—but that’s entirely up to you. You don’t have to decide that now.

CLASS SCHEDULE

This class meets in the Hendricks Heritage Room on Mondays from 2:30-5:30 pm. Class will be divided into two equal-length sessions, with a break in the middle. I anticipate that we’ll have refreshments to eat and drink before class or at the break.

CHOSEN NAMES AND PREFERRED PRONOUNS

In my classroom, you certainly have the right to be addressed by your preferred name and pronoun, and that includes any non-binary pronouns. Rosters do not list gender or pronouns so if you have specific preferences, please just let me know.

MEDITATION/JOURNALING APPS

There are quite a few smart phone and online apps that you can use as tools, if you want them, for meditating and journaling. Here are a few that I know:

- Insight Timer (there's a robust free version, as well as a premium version you can pay for)
- Smiling Mind (I believe most of what they offer is free)
- Stop, Breathe & Think (I believe there are about 30 free sessions)
- UCLA Mindful (there are about a dozen free meditations—in both English and Spanish)
- Headspace (a number of meditations that are free; also paid subscription available)
- 10% Happier: Meditation for Fidgety Skeptics (limited free trial option; paid subscription thereafter)
- Happy Tapper Gratitude Journal: Gratitude App

ACADEMIC SUPPORT

There are lots of academic support options at UHLC. Three of the best, I think, are:

1. The Legal Writing Center (which can help on writing and studying generally). Go to: <http://www.law.uh.edu/lrw/legal-writing.asp>.
2. Talking with your professors and the teaching assistants assigned to your classes. That's what we are here for.
3. Joining a student organization. Can be both enriching for law school and a good source of academic support. For a list, go to <http://www.law.uh.edu/organizations/homepage.asp>. If you have trouble linking to a group, Kristan Withers, the Law Center's liaison for the student organizations, may be able to help. Her email is kdwithers@central.uh.edu.

OTHER SUPPORT

I usually include the information below in all of my course syllabi and so I include it here. That said, because of the nature of this course, we will also be discussing (in Class 1) other kinds of support that are available to you. In any event, here is what I also make sure to let all of my students know about:

At the Law Center, in the broader university, and through the State Bar, there are a number of different sources of support if you need it.

1. Of course, you are always welcome to come see me. But, if you'd rather talk to someone else, Dean Sondra Tennessee in Student Services is another resource. She's been helping students for many years. Her office is located in the Office of Student Services, which is across from the student commons. Her email is stennessee@central.uh.edu; her phone is (713) 743-2182.
2. The university's Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling (713) 743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service at convenient locations and hours around campus. Their webpage can be accessed here: http://www.uh.edu/caps/outreach/lets_talk.html.
3. Finally, the State Bar has an amazing group called Texas Lawyers' Assistance Program (web address is <https://www.tlaphelps.org/>). TLAP "provides confidential help for lawyers, law students and judges who have problems with substance abuse and/or mental health issues." Students can call (24 hours a day/7 days a week) to get help with mental health and substance abuse issues. The number is (800) 343-8527.

CONTACT INFORMATION AND OFFICE HOURS

My office is BLB 124, which is in the faculty suites on the first floor of BLB. Everyone is welcome to come by during my office hours (Mondays from 1:30-2:30 pm) or, if you prefer, you can always call or email in advance to schedule an appointment at another convenient time. My office phone is (713) 743-5206; my email is lhoffman@uh.edu. My assistant is Lillian White. Her phone is (713) 743-7674; her email is lawwhite@central.uh.edu.

The course syllabus follows on the next page.

COURSE SYLLABUS

<p>Class #1 - Jan 13</p> <p>Session 1: Introduction to Course: Class Goals, Expectations, and Requirements</p> <p>For me to read before class:</p> <p>Session 2: Discussion of well-being challenges in law school</p>	<p>In advance of class, read:</p> <p>Organ, et al, Helping Law Students (CM pp1-10)</p> <p>Chan, et al, Wellness at the [Harvard] Law School (CM pp11-14)</p> <p>National Task Force, The Path to Lawyer Well-Being (CM pp15-20)</p> <p>Flynn, et al., Law School Stress (CM pp21-27)</p> <p>Levit & Linder, The Happy Lawyer (pp125-132)</p> <p><u>Assignment</u></p> <p>Between now and our next class on Jan 27, practice mindfulness at home for at least five minutes/day. The syllabus lists a number of free (and subscription) meditation apps that you can use, if you want (not necessary, however). Another good resource to consult is R. Lisle Baker & Daniel B. Brown, <i>On Engagement, Learning to Pay Attention</i>, 36 U. ARK. L. REV. 337 (2014), available at https://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1192&context=lawreview (you can go directly to Appendix I, starting at page 378). By Friday, Jan 24, submit a short reaction paper (two to three typed pages, double-spaced) discussing your initial reactions to your mindfulness practices. On Jan 13, I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>
<p>Jan 20 – No class (MLK day)</p>	

<p>Class #2 - Jan 27</p> <p>Session 1: Well-Being Challenges for Lawyers</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Levit & Linder, The Happy Lawyer (Chapter 1 and excerpts from Chapter 3 (pp49-58 and 62-67; and 74-77))</p> <p>Martin Seligman, Why Lawyers are Unhappy (CM pp28-45)</p>
<p>Class #3 - Feb 3</p> <p>Session 1: The Science of Happiness</p> <p>Session 2: A Deeper Dive Into Mindfulness</p>	<p>In advance of class:</p> <p>Read Levit & Linder, The Happy Lawyer (Chapters 2 & 3)</p> <p>Read Reuben & Sheldon, Can Mindfulness Help Law Students (CM pp88-101)</p> <p>Watch: Martin Seligman on Positive Psychology: https://www.youtube.com/watch?v=faT8jw17RHE</p> <p>* Optional surveys to complete (these aren't required but we wanted to share them for reference in case anyone wants to take them, now or later):</p> <p>https://www.authentichappiness.sas.upenn.edu/testcenter (PANAS test measuring positive and negative affect) (Under "Emotion Questionnaires," this is the third test)</p> <p>PERMA survey https://www.authentichappiness.sas.upenn.edu/testcenter (Under "Flourishing Questionnaires," this is the first test link)</p> <p>Satisfaction with Life Survey: https://www.authentichappiness.sas.upenn.edu/testcenter (first test listed under "Life Satisfaction Questionnaires")</p> <p><u>Assignment</u></p> <p>By Feb 10, submit a short reaction paper (two to three typed pages, double-spaced) discussing one happiness myth that seems to you to be particularly resistant to puncturing. On February 3, I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>

<p>Class #4 - Feb 10</p> <p>Session 1: The Happiness Toolbox</p> <p>Session 2: Class discussion</p>	<p>In advance of class:</p> <p>Read Happy Lawyer (Chapter 4)</p> <p>Read Huang & Felder, Zombie Lawyer (CM) (CM pp 71-87)</p> <p>Read Pierson et al, Stress Hardiness (CM just pp108-130)</p> <p>Read: https://www.psychologytoday.com/us/blog/what-matters-most/201908/top-10-new-research-findings-character-strengths</p> <p>Watch Ted Talk: A New Way to Think About Stress, available at this link: https://www.ted.com/talks/kelly_mcgonigal_how_to_make_stress_your_friend/transcript?language=en#t-648608</p> <p>* Survey to complete (very brief; should only take about 10 minutes or less):</p> <p>VIA Strengths Survey to take before class, available here: https://www.viacharacter.org/pro/uhlawandwellbeing/account/register</p> <p>(after you take the VIA make sure to write down or screen shot your top-five strengths)</p>
<p>Class #5 - Feb 17</p> <p>Session 1: Addictions/depression/general anxieties</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Organ, et al, Suffering in Silence (CM pp131-50)</p> <p>Krill, et al., The Prevalence of Substance Abuse (CM pp151-57)</p> <p>Assignment: Gratitude assignment, due March 2.</p>

<p>Class #6 - Feb 24</p> <p>Session 1: Demographic challenges: gender, sexual orientation, race, and beyond</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Rhode, From Platitudes to Priorities (CM pp158-90)</p> <p>Liebenberg and Scharf, Walking Out the Door (CM pp191-210)</p> <p>Reardon and Buchanan, Lawyer Well-Being An Uncharted Path (CM pp213-18)</p> <p>Peck, Women at Ernst & Young (CM pp219-30)</p>
<p>Class 7 - Mar 2</p> <p>Session 1: Work/Life Balance; Self-Care</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Krieger, What Makes Lawyers Happy (CM pp231-40)</p> <p>Wood, et al., A Qualitative Examination of Self-Care in Lawyers (CM pp241-45)</p> <p>Weiss, Would Millennial Lawyers Trade (CM) (pp246-48)</p> <p>For our March 2 class, we are going to meet at the Houston Food Bank, 3525 Portwall Street, Houston, Texas 77029. Please arrive as close to 2:30 pm as possible. It should take approximately 15 minutes by car to get there from UH. (I know that a few of you have a class that ends at 2:15 pm and so may be a little late.) We will end by 5:15 pm, as regular. If you know that you may need to leave early to get wherever you need to go, please let me know in advance.</p> <p><u>Assignment</u></p> <p>By March 13, submit a short reaction paper (two to three typed pages, double-spaced that is written as a speech that someone very close to you (use a lifelong friend or family member) would give at a retirement party for you after you've worked for 40+ years. What would you like to hear them say about you? What things would make you feel best when looking back at your life? On March 2, I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>

<p>Class 8 - Mon., Mar 16:</p> <p>Session 1: Agents for Change in Law School: How can these issues be articulated in a persuasive manner to law schools to promote lasting, positive change?</p> <p>Session 2 – Class discussion</p>	<p>In advance of class, read:</p> <p>National Task Force of Lawyer Well-Being, The Path to Lawyer Well-Being: Practical Recommendations for Positive Change (CM pp249-55)</p> <p>Organ, et al, Suffering in Silence (CM pp256-67)</p> <p>Jolly-Ryan, Jennifer (2009) Promoting Mental Health In Law School (CM pp268-79)</p> <p><u>Longer Paper Assignment – Two Options</u></p> <p>Option 1: What can law schools do to better prepare students to have more satisfaction in their careers?</p> <p>Option 2: What can the law profession do to make lawyers more satisfied? And why should they do these things? Can focus on a particular type of practice (e.g., private; government; in-house) or can talk about more broad-based institutional changes that could be made (at the level of the State Bar, for instance; or more local bar associations, or the Supreme Court)</p> <p>Your paper is due by April 24. On March 16, I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>
<p>Class 9 - Mar 23</p> <p>Session 1: Agents for Change in the Legal Profession: How can these issues be articulated in a persuasive manner to legal institutions and lawyers themselves to promote lasting, positive change?</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Happy Lawyer (Chapter 6)</p> <p>National Task Force of Lawyer Well-Being, The Path to Lawyer Well-Being: Practical Recommendations for Positive Change (CM pp280-84)</p> <p>Bruce, Leadership Impact on Work-Life Balance (CM pp285-87)</p>

<p>Class 10 – Mar 30</p> <p>Session 1: Choosing the Right Career</p> <p>Session 2: Class discussion</p>	<p>Happy Lawyer (Chapters 5 –pp132-59)—and all of Chapter 8)</p> <p>Schiltz, On Being a Happy (CM pp288-319)</p>
<p>Class 11 - Apr 6</p> <p>Session 1: Professionalism, Mentoring, Staying Connected</p> <p>Session 2: Class discussion</p>	<p>In advance of class, read:</p> <p>Coquillet, Professionalism: The Deep Theory (CM pp320-26)</p> <p>Hamilton & Monson, Answering the Skeptics (CM pp327-38)</p> <p>Hamilton & Brabbit, Fostering Professionalism Through Mentoring (CM pp339-66)</p>
<p>Class 12 - Apr 13</p> <p>Session 1: Student presentations/discussion</p> <p>Session 2: Student presentations/discussions</p>	
<p>Class 13 - Apr 20</p> <p>Session 1: Student presentations/discussion</p> <p>Session 2: Student presentations/discussions</p>	

