

WELL-BEING IN THE LAW  
COURSE DESCRIPTION AND SYLLABUS  
SPRING 2023  
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. To be an exceptional lawyer, a law student must acquire more than just technical competence. Along with integrity and conscientiousness, great lawyers have good judgment, effectively communicate as a tool for building relationships, and take responsibility for themselves and their clients.

**To constructively confront the emotional difficulties that legal professionals routinely face.** Empirical research has shown 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. 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, student attendance is vital. At most, without penalty, you can miss up to four class sessions. More than four absences may result in a lower grade, including a failing course grade. This may be a stricter policy than you are used to in other classes. Before enrolling in this course, you should be confident 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 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. This paper should be ten typed, double-spaced pages. It is due by no later than 5:00 pm on Sunday, April 30. 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 [(713) 523-0701] and they'll order it for you. If you'd rather order it online, there are lots of options, including several well-regarded alternatives to Amazon. For example, eBooks.com has new copies available for \$11.69. Even cheaper used versions can be found, including at betterworldbooks.com where you can buy it for \$4.75. Wherever you get it from, just to be sure you have it in advance of our first class on January 18.

I provide the rest of the course materials for you without charge. They are listed as "CM" in the syllabus. These materials are available electronically on the course page, here: <https://www.law.uh.edu/faculty/lhoffman/well-being.asp/>. You can also ask for a hard copy of the materials and we'll get one made for you.

#### 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 pretty robust free version, as well as a paid premium version)
- 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
- Waking Up (I'm a particular fan of this last app that Sam Harris runs)

#### 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 [kdwither@central.uh.edu](mailto:kdwither@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 Monica Mensah 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 [mebuckne@central.uh.edu](mailto:mebuckne@central.uh.edu); her phone is (713) 743-6247.
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](http://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](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 in the faculty suites on the third floor of the new law building. 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](mailto:lhoffman@uh.edu). My assistant is Jessica Rodriguez. Her phone is (713) 743-6407; her email is [jestrad2@central.uh.edu](mailto:jestrad2@central.uh.edu).

#### 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.

#### DIVERSITY AND INCLUSION

This is an inclusive learning space; all are welcome. If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. I want to be a resource for you. If you feel more comfortable speaking with someone besides me, Monica Mensah, Assistant Dean for Student Affairs Student Services, is an excellent resource (contact info above). You can also bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity and Inclusion Committee. You can contact the committee directly at [UHLCD&I@uh.edu](mailto:UHLCD&I@uh.edu).

#### ACCESSIBILITY AND ACCOMMODATIONS

[THE FIRST PARAGRAPH BELOW IS UNIVERSITY-APPROVED LANGUAGE].

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic

adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in room 44A TU-II in the Office of Student Services suite, and she can be reached at [sary@central.uh.edu](mailto:sary@central.uh.edu) or (713) 743-7466. Requests for accommodation that involve graded assignments must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to document and to process the request. If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let me know as soon as possible, so that we may make arrangements.

ANTI-DISCRIMINATION AND SEXUAL MISCONDUCT POLICIES  
[THE FOLLOWING IS UNIVERSITY-APPROVED LANGUAGE].

UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment in which students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University system's Anti-Discrimination Policy webpage, Anti-Discrimination Policy, Sexual Misconduct Policy webpage, and Sexual Misconduct Policy. Under the University Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

The course syllabus follows on the next page.

COURSE SYLLABUS

<p><b>Classes:</b> Wed. Jan 18, Mon., Jan 23, and Wed., Jan 25</p> <p><b>Topics:</b></p> <ul style="list-style-type: none"> <li>- Introduction to Course: Class Goals, Expectations, and Requirements</li> <li>- Discussion of well-being challenges in law school</li> </ul>	<p>In advance of these classes, read:</p> <p>Ground Rules for this Class (available on the course webpage here: <a href="https://www.law.uh.edu/faculty/lhoffman/well-being.asp">https://www.law.uh.edu/faculty/lhoffman/well-being.asp</a>)</p> <p>Organ, et al, Helping Law Students (CM, pp. 1-10)</p> <p>Chan, et al, Wellness at the [Harvard] Law School (CM, pp. 11-14)</p> <p>Buchanan et al., National Task Force, The Path to Lawyer Well-Being (CM, pp. 15-20)</p> <p>Flynn, et al., Law School Stress (CM, pp. 21-27)</p> <p>Levit &amp; Linder, The Happy Lawyer (pp. 125-132)</p> <p><b><u>Assignment</u></b></p> <p>Starting on Wed., Jan 18 (though you are welcome to get started on this assignment before our first class), practice mindfulness for at least five minutes/day. The syllabus lists several free (and subscription) meditation apps that you can use (it isn't necessary to use them). Another good resource to consult is R. Lisle Baker &amp; Daniel B. Brown, <i>On Engagement, Learning to Pay Attention</i>, 36 U. ARK. L. REV. 337 (2014), available at <a href="https://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1192&amp;context=lawreview">https://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1192&amp;context=lawreview</a> (you can go directly to Appendix I, starting at page 378).</p> <p>By Wednesday, Jan 25 at 2:30 pm, submit a short reaction paper (two to four typed pages, double-spaced) discussing your initial reactions to your mindfulness practices. How did your experience align with whatever expectations, if any, you had before you started? What challenges did you face? What insights about yourself and/or about your practice exercises did you gain? Support your reflections with as much specificity as necessary to convey clear and focused observations. Synthesize the ideas you present to demonstrate what learning occurred, if any, and how any newly acquired knowledge altered any prior knowledge that you had before you began these practices. Grade: 5% of final grade.</p> <p>Evaluation Criteria: Your reflection paper will be evaluated by how effectively you produce work that meaningfully engages with the questions posed by the assignment. I will use the following evaluation criteria:</p> <p><b>Description and depth of reflection.</b> A superior paper demonstrates an in-depth reflection on the assignment. All viewpoints and interpretations are insightful and well supported. A superior paper is clear and focused on the specific aspects of the assignment and provides evidence that the student has</p>
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	<p>examined their own belief systems and related this to the reflective experiences.</p> <p><b>Required components.</b> A superior reflection paper includes all components and meets or exceeds all requirements indicated in the instructions, including timeliness of completion.</p> <p><b>Writing.</b> The writing of a superior paper is clear, as concise as persuasion demands, and is well organized with excellent sentence/paragraph construction. A superior paper expresses its thoughts coherently and logically and does not contain spelling, grammar, or syntax.</p> <p><b>Metacognitive.</b> A superior reflection paper shows strong evidence of synthesis of ideas presented and insights gained from the assignment. It also demonstrates what learning occurred and how any newly acquired knowledge or learning altered existing knowledge.</p>
<p><b>Classes:</b> Mon., Jan 30 and Wed., Feb 1</p> <p><b>Topic:</b> Well-Being Challenges for Lawyers (broad discussion)</p>	<p>In advance of these classes, read:</p> <p>Levit &amp; Linder, The Happy Lawyer (Chapter 1 and excerpts from Chapter 3 (pp 49-58; 62-67; and 74-77))</p> <p>Martin Seligman, Why Lawyers are Unhappy (CM, pp. 28-45)</p>
<p><b>Classes:</b> Mon., Feb 6 and Wed., Feb 8</p> <p><b>Topics:</b> Addictions, depression, self-harm, anxieties</p>	<p>In advance of these classes, read:</p> <p>Organ, et al, Suffering in Silence (CM, pp. 131-50)</p> <p>Krill, et al., The Prevalence of Substance Abuse (CM, pp. 151-57)</p> <p>Assignment: By Wednesday, Feb. 8 at 2:30 pm, submit a paper of two to three typed, double-spaced pages discussing at least one well-being challenge that you or a friend/classmate may face. If you choose to write about someone else, do not use their real name. You should draw any relevant references from the readings (though it is not necessary to formally cite any authorities). Support your reflections with as much specificity as necessary to convey clear and focused observations. Grade: 5% of final grade.</p> <p>Evaluation Criteria: Your reflection paper will be evaluated by how effectively you produce work that meaningfully engages with the questions posed by the assignment. I will use the same evaluation criteria I outlined above.</p>

<p><b>Classes:</b> Mon., Feb 13 and Wed., Feb 15</p> <p><b>Topics:</b></p> <ul style="list-style-type: none"> <li>- The Science of Happiness and</li> <li>- A Deeper Dive into Mindfulness</li> </ul>	<p>In advance of these classes:</p> <p>Read Levit &amp; Linder, The Happy Lawyer (Chapters 2 &amp; 3)</p> <p>Read Reuben &amp; Sheldon, Can Mindfulness Help Law Students (CM pp88-101)</p> <p>Watch: Martin Seligman on Positive Psychology:  <a href="https://www.youtube.com/watch?v=faT8jw17RHE">https://www.youtube.com/watch?v=faT8jw17RHE</a></p> <p><b><u>Assignment</u></b></p> <p>By Wed., Feb 15 at 2:30 pm, submit a short reaction paper (two to four typed pages, double-spaced) discussing one happiness myth that seems to you to be particularly resistant to puncturing. I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>
<p><b>Classes:</b> Mon., Feb 20 and Wed., Feb 22</p> <p><b>Topic:</b> The Happiness Toolbox</p>	<p>In advance of these classes:</p> <p>Read Happy Lawyer (Chapter 4)</p> <p>Read Huang &amp; Felder, Zombie Lawyer (CM) (CM pp 71-87)</p> <p>Read Pierson et al, Stress Hardiness (CM just pp108-130)</p> <p>Read: <a href="https://www.psychologytoday.com/us/blog/what-matters-most/201908/top-10-new-research-findings-character-strengths">https://www.psychologytoday.com/us/blog/what-matters-most/201908/top-10-new-research-findings-character-strengths</a></p> <p>Watch Ted Talk: A New Way to Think About Stress, available at this link:  <a href="https://www.ted.com/talks/kelly_mcgonigal_how_to_make_stress_your_friend/transcript?language=en#t-648608">https://www.ted.com/talks/kelly_mcgonigal_how_to_make_stress_your_friend/transcript?language=en#t-648608</a></p>
<p><b>Classes:</b> Mon., Feb 27 and Wed., Mar. 1</p> <p><b>Topics:</b>  Demographic challenges: gender, sexual orientation, race, and beyond</p>	<p>In advance of these classes, 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 &amp; Young (CM pp219-30)</p>

<p><b>Classes:</b> Mon., Mar. 6 and Wed., Mar. 8</p> <p><b>Topics:</b></p> <ul style="list-style-type: none"> <li>- Work/Life Balance</li> <li>- Self-Care</li> </ul>	<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><b><u>Assignment - TBA</u></b></p>
<p><b>Classes:</b> Mon., Mar. 20 and Wed., Mar. 22</p> <p><b>Topic:</b> Choosing the Right Career</p>	<p>In advance of class, read:</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><b><u>Longer Paper Assignment – Two Options</u></b></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 Sunday, April 30 at 5:00 pm. I will hand out more detailed guidance as to the expected content of this paper and how I will evaluate it.</p>
<p><b>Classes:</b> Mon., Mar. 27 and Wed., Mar. 29</p> <p><b>Topics:</b> Professionalism, Mentoring, Staying Connected</p>	<p>In advance of these classes, read:</p> <p>Coquillet, Professionalism: The Deep Theory (CM pp320-26)</p> <p>Hamilton &amp; Monson, Answering the Skeptics (CM pp327-38)</p> <p>Hamilton &amp; Brabbit, Fostering Professionalism Through Mentoring (CM pp339-66)</p>

<p><b>Classes:</b> Mon., Apr. 3 and Wed., April 5</p> <p><b>Topic:</b> 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>In advance of these classes, 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><b>Classes:</b> Mon., Apr. 10 and Wed., April 12</p> <p><b>Topic:</b> 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>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><b>Classes:</b> Mon., Apr. 17, Wed., April 19, Mon., Apr. 24, and Wed., Apr. 26</p> <p><b>Topic:</b> Reserved for student presentations</p>	