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Tatiana I. Pavlova-Coleman

University of Pennsylvania, tpavlova@sas.upenn.edu

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Abstract

Research shows that law students experience greater levels of depression, stress, and anxiety, and also higher rates of alcohol and drug abuse than their peers at other graduate schools. Scholars from a broad array of disciplines, such as psychology, law, and education, suggest law school—its pedagogy and structure—is a causal factor for students' decreased physical and mental well-being and lower overall life satisfaction. Faced with the challenge to find innovative approaches to the problem of law students' distress, law schools can use the solutions and insights offered by the relatively new field of positive psychology. This paper proposes an academic course, named Law Students in Balance, based on the findings of the science of well-being. The course may be instrumental in managing stress and anxiety among law students, and, most importantly, preventing psychological distress among students and practicing attorneys. It endeavors to explain how positive emotions, an individual's signature character strengths, and various tools for building resilience, can be learned and in turn may yield scientifically tested positive outcomes: lower and/or prevent depression and increase overall life satisfaction.

Keywords

law students, well-being, law, positive psychology, life satisfaction, depression, positive emotions

Disciplines

Law | Medicine and Health Sciences | Other Physiology

Comments

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Law Students in Balance:

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Founded on the Constructs and Findings of Positive Psychology

Tatiana I. Pavlova-Coleman

University of Pennsylvania

A Capstone Project Submitted

In Partial Fulfillment of the Requirements for the Degree of
Master of Applied Positive Psychology

Advisor: Daniel S. Bowling, III

August 1, 2011

LAW STUDENTS IN BALANCE

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“How can we cultivate the seed of greatness in our students? ...How can we cultivate the seed of greatness in ourselves and families, in our communities and organization, in our nation and our world?”

Marva Collins, *Marva Collin's Way* (1990)

Part I

The Reality of Law Schools in the United States

To be an attorney in the United States is a prestigious job. The profession is often linked to high social status, good income. Yet, in parallel with that, it is also associated with incomparably low levels of life satisfaction, unique forms of psychological distress, alcohol and drug addictions, and high suicide rates (Peterson & Peterson, 2010). Of all professionals in the United States, after adjusting for socio-demographic factors, lawyers suffer from the highest rate of depression. They are also at a greater risk for heart disease, alcoholism and drug use than the general population (Seligman, Verkuil, & Kang, 2001). Law professionals are 3.6 times more likely to suffer from a major depressive disorder than the rest of the employed population (Eaton, Anthony, Mandel, & Garrison, 1990). In addition, in a sample of practicing lawyers, researchers found that 70% were likely to develop alcohol-related problems over the course of their lifetime, compared to only 13.7% of the general population. About 20% to 35% of these lawyers were “clinically depressed,” as oppose to only 2% of the general population (Beck, Sales, & Benjamin, 1995).

Unfortunately, these problems affect not only practicing lawyers, but law students as well. The now popular notion that law school is an exceptionally stressful experience for many students has been substantiated by various longitudinal studies (Benjamin, Kaszaniak, Sales, &

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Shanfield, 1986; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004a; Sheldon & Krieger, 2007). The emotional distress of law students seems to considerably surpass that of medical students and at times to approach that of psychiatric populations (Dammeyer & Nunez, 1999). These findings are of great significance, given that the level of life satisfaction and physical and mental well-being of graduating law students is likely to carry over into their professional practice and may set the stage for psychological distress and other problems seen broadly among lawyers today (Seligman, Verkuil, & Kang, 2001; Beck, Sales, & Benjamin, 1995). Empirical studies have demonstrated that up to 40% of law students fail to cope effectively with the demands of law school and 32% suffer from depression by late spring of their first year in law school. This last figure increases to 40% by the late spring of the third year (Daicoff, 1997; Benjamin et al., 1986). It is important to note, that the rate of depression among entering law students does not differ from that in the general population, but it increases alarmingly as they entered law school.

Considering the presented data, psychologists, legal commentators, and scholars have suggested that contemporary legal education, its pedagogy and structure, is a major contributing factor for the low levels of well-being, life satisfaction and mental and physical health of law students and law professionals. Some researchers have focused on the fierce competition for grades and the singular emphasis on achievement, while others mention the use of the *Socratic method*¹ and the faculty's emphasis on linear thinking at the expense of student creativity and personal values (Peterson & Peterson, 2010). Researchers have also found that law school fosters certain traits in its students that can lead to unhappiness, such as aggression, defensiveness, and pessimism (Satterfield, Monahan, & Seligman, 1997). In addition, most agree that as the school year progresses, students' intrinsic motivation and their contact with social support networks

¹ Socratic Method – process of teaching-by-questioning method, widely used in law schools in the U.S.

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decreases (Sheldon & Krieger, 2007). The excessive workloads, stress, and competition for academic superiority, the status-seeking placement practices, and other hierarchical markers of worth, the lack of clear and timely feedback, the teaching practices that are isolating or intimidating, the content that is excessively abstract or unrelated to the actual practice of law, the conceptions of law that suppress moral reasoning and creativity, all of these factors perform as negative aspects of the legal education that cause many law students to exhibit elevated levels of psychological distress, including upper levels of depression, stress, and anxiety. Law students also report higher levels of alcohol and drug use than college and high school graduates of the same age, and their alcohol use increases through their time at law school (Heins, Fahey, & Henderson, 1983). These problems appear unique to law students and are not generalizable to other overworked populations of graduate students.

As a way to deal with the obvious problem, law schools have responded to the issue by creating student assistance programs (SAP's), which have been proven to be an important, but limited first step in responding to the high levels of stress and depression in law schools (Sheldon & Krieger, 2004b). SAP's suffer two major flaws: (1) they focus on severely distressed students and offer little to no help in preventing the distress before it reaches a crisis; and (2) they offer help only to a very small percentage of students.

A few solutions have been suggested by scholars, including restructuring the law school curriculum to provide a greater emphasis on practical skills and less focus on abstract legal theory, altering or eliminating the traditional Socratic method, reducing the size of law school classes, and changing the way students are graded (Sheldon & Krieger, 2007). Regrettably, these proposals have several significant limitations. Their potential application would be controversial, and possibly even regarded as pedagogically unsound and would face strong opposition from law

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school faculties (Peterson & Peterson, 2010). In such a difficult situation, the key questions remain: What else can law schools do to aid distressed students? What can be done to prevent the problems before they even begin? How can law schools generate not only well-qualified law professionals but also law professionals who experience high levels of well-being and life satisfaction?

Positive Psychology—The Science of Well-being and Flourishing

It is apparent law schools are faced with the challenge to find innovative approaches to prevent and/or deal with the problem of law students' distress. A possible solution may be found in the new field of positive psychology. Positive psychology is the study of the conditions and processes that contribute to the flourishing or optimal functioning of people, groups, and institutions (Gable & Haidt, 2005). It is the science of positive subjective experience, positive individual traits, and positive institutions (Seligman & Csikszentmihalyi, 2000). At the subjective level positive psychology is about valued subjective experiences: well-being, contentment, and satisfaction in relation to past events; hope and optimism associated with the future; flow and happiness experienced in the present. At the individual level it is about positive individual traits or signature character strengths: the capacity to love and be loved, courage, social skills, aesthetic sensibility, perseverance and resilience, forgiveness, creativity, future mindedness, spirituality, wisdom and love of learning. At the group level the field is about "the civic virtues and the institutions that move individuals toward better citizenship: responsibility, nurturance, altruism, civility, moderation, tolerance, and work ethic" (Seligman & Csikszentmihalyi, 2000, p. 5).

The field of positive psychology does not disregard psychology as usual, but rather supplements the traditional psychological research focused on the causes of psychological

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suffering. The field endeavors to understand and accurately explain the mechanisms of how people can improve their nature, prevail life conditions and attain happiness. Originally proposed in 1998 by the then president of the American Psychological Association, Martin Seligman (Pawelski, 2003), the field of positive psychology endeavors to study positive emotions, positive character, and positive institutions that enable humans to flourish (Seligman & Csikszentmihalyi, 2000).

Positive psychologists focus their work on research, design and application of empirically tested positive interventions: the evidenced-based tools that allow practitioners, individuals and organizations to improve and promote well-being and sustainable life satisfaction (J. O. Pawelski, course lecture, September 11, 2011). Positive interventions exemplify non-traditional alternatives to psychology and medicine as usual, and yet employ scientific methods: (a) to *prevent* mental and physical illness, and (b) to *improve* overall life satisfaction and mental and physical health among the *non-clinical* population. Following the fundamental principal of positive psychology that happiness does not equal the absence of unhappiness, positive interventions do not dismiss the negative side of human existence; rather, positive psychology application is directly focused on increasing the positive things in life (J. O. Pawelski, course lecture, September 11, 2011). Positive interventions encourage well-being by cultivating positivity, aiming on building resilience, nurturing personal character strengths and virtues, positive relationships, and meaningful life engagements among individuals and communities.

Making the Case for Positive Psychology Course in Law Schools

Considering the main emphases of study of the field of positive psychology—promoting well-being, life satisfaction, and flourishing—its constructs offer a viable counterbalance to the corrosive and negative effects that law schools currently have on the well-being, values and

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motivation of its students. To maximize the learning and emotional adjustment of their graduates, law schools need to focus on enhancing the well-being and overall life satisfaction and happiness of its students and graduates. This capstone project identifies three major reasons why a positive psychology course can be effective in enhancing law school students' and future attorney's well-being:

1. Positive psychology's constructs and its interventions are empirically tested means for prevention and decreasing the level of depression among clinical and non-clinical populations. Research has identified specific positive interventions that make people lastingly happier (Seligman, Steen, Park, & Peterson, 2005). For instance, writing about three good things that happened each day and why they happened, and using signature strengths of character in a new way made people happier and less depressed up to six months later. One other intervention—the gratitude visit—produced large positive changes as well. These findings suggest that positive interventions can produce lasting increase in happiness and moreover decrease the rates of depression.

Another study (Seligman, Rashid, & Parks, 2006) suggests that treatments for depression may usefully be supplemented by exercises that explicitly increase positive emotion, meaning, and engagement. In their research they tested the effect of six exercises on a group of severely depressed clients, and a group of moderately depressed students. The six exercises were: 1) using signature strengths in a novel way; 2) daily journaling about three good things that happened that day; 3) writing an obituary—the way you want to be remembered by others if you were to die; 4) gratitude visit to someone you are thankful to; 5) practicing ACR (active constructive responding, detailed later in this paper); and 6) savoring things that you usually don't find time for and writing about the experience. These activities led to more symptomatic improvement and

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to more remission from depressive disorder than did treatment as usual and treatment as usual plus antidepressant medication. They increased happiness and overall life-satisfaction for the subjects of the study. The improvement, moreover, lasted for at least one year after the treatment. Considering the high rates of clinical depression among law students and lawyers in practice, it is reasonable to hypothesize that positive interventions may yield similar positive effects when applied on students in the law school environment.

2. The present-day examples of *applied* positive psychology are indications of its potentially widespread effectiveness. There are numerous examples of the effective application of positive psychology today in: education, business, government, the military, etc. This paper will present a few:

Education: One of the most popular courses at Harvard University in 2006 was Dr. Tal Ben-Shahar's positive psychology class that taught students "how to be happy" (Smith, 2006). In the past few years Georgetown Law Center has offered a course providing students with the mental skills necessary for the practice of law: teaching and preparing them for the stressful lifestyle that often accompanies the legal profession (Georgetown University Law Center, 2012). Daniel S. Bowling, III, at Duke University Law School, is teaching a course based on positive psychology called *Well Being and the Practice of Law* (Bowling, 2012). These courses taught in law schools teach important skills that typically are not addressed in the law school classroom, yet are highly useful in the coursework, the profession, and for leading a balanced life as a student and lawyer.

Positive psychologists at the University of Pennsylvania have developed The Penn Resilience Program (PRP) curriculum (Gillham, Reivich, & Jaycox, 2008), focused on teaching

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optimism, problem solving, self-regulation, emotional awareness, flexibility, self efficacy², empathy, and strong relationships. The PRP is one of the most widely researched depression prevention programs. There have been numerous studies evaluating the efficacy of the PRP (e.g., Gillham, Hamilton, Freres, Patton, & Gallop, 2006; Gillham et al., 2007; Gillham, Reivich, Jaycox, & Seligman, 1995;). These studies have found that the PRP and in addition the APEX program (designed for young adults ages 18-24) both can reduce anxiety, depression, adjustment disorders, and conduct problems. A meta-analysis of these studies found that young people who participated in the PRP had fewer symptoms of depression than participants in no-intervention control conditions for as long as 24 months following the end of the PRP training (Brunwasser, Gillham, & Kim, 2009). Taken together, these findings demonstrate that the skills taught in the PRP lead to significant, measurable positive changes in an educational setting. The preventive effects of the PRP on depression and anxiety are relevant to one of the aims of the *Law Students in Balance* course—to prevent psychological disorders among law students and professionals.

U.S. Army. The PRP has been used for the design of *The U.S. Army Master Resilience Trainer (MRT)* course, which provides face-to-face resilience training, and is one of the foundational pillars of the Comprehensive Soldier Fitness (CSF) program. The stress and strain on the U.S. Army's community due to nearly a decade of prolonged wars is well documented in the press and in scientific literature (just like the stress and strain of law professionals) (University of Pennsylvania, 2012). In response, the U.S. Army has implemented CSF program as a preventive program that seeks to enhance psychological resilience among all members of the Army community, which includes soldiers, family members, and Department of the Army

² Maddux (2009) defines self-efficacy as the power of believing in your capabilities to achieve certain goal. He points out that people's beliefs in themselves determine the actions they choose to engage in, what they are able to accomplish and how resilient they might be in difficult situations. Self-efficacy is not just about recognizing your skills; rather it is about believing in your ability to effectively use your skills in challenging situations.

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civilians. The CSF program is not a medical treatment program. Rather, it helps those community members who are psychologically healthy to face life's adversities—including combat and prolonged separation from loved ones—by providing evidence-based training. The aim of the program is not only to prevent Post Traumatic Stress Disorder (PTSD), but also to increase the ability of soldiers to bounce back readily from adversity and to grow psychologically from the crucible of combat.

Business. Increasing number of major corporations collaborate with positive psychology scholars to increase the well-being of their employees and the profitability of their businesses. A considerable body of research focuses on processes that build capabilities and strengths of employees in organizations and on how HQC (high quality connections) and identity processes increase employees' and organizations' capabilities (Dutton, 2003). Amy Wrzesniewski (Yale University School of Business), and her colleagues Jane Dutton (Ross School of Business, University of Michigan) and Justin Berg (The Wharton School of Business, University of Pennsylvania) have developed a methodology they call *job-crafting* (Caplan, 2009). They're working with Fortune 500 companies, smaller firms and business schools to change the way Americans think about work. The idea is to make all jobs—even ordinary ones or stressful ones, such as the law profession—more meaningful by empowering employees to brainstorm and implement subtle but significant workplace adjustments. A major part of positive psychology scholars' focus their work on teaching the tools that would enable individuals to craft their careers and guarantee the presence of a strong sense of meaning and purpose while at work (Spreitzer & Cameron, 2012).

3. Positive psychology and its empirically tested constructs and findings directly address the issues and needs of the law school environment. Constructs, such as self-

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determination, self-regulation, and goal setting directly address the “symptoms” associated with low well-being and life satisfaction levels among law students. Other relevant constructs include: self-efficacy, autonomy, signature character strengths, resilience, positivity, realistic optimism, and the like, and the studies done on the importance of humor and play. These concepts and their interventions stand in opposition to the common features of the law school landscape: low motivation, high levels of stress, pessimism, low intrinsic and prosocial values, high levels of psychological distress. A study by Seligman et al. (2001) provides an example of the direct alignment between law school needs and what positive psychology offers as a solution. The researchers identify: (a) pessimism and (b) low decision latitude as some of the psychological explanations for lawyers’ unhappiness and specify as possible remedies: (a) the techniques of “learned optimism” which recommends that individuals employ a dispute technique to control their negative emotions and (b) the study of signature strengths, which would allow law schools and law firms to tailor assignments aligned with one’s signature strengths. Another research study (Peterson & Peterson, 2010) recommends the positive psychology’s broaden and build theory of positive emotions (Fredrickson, 2009) to heal law student distress.

Sheldon and Krieger (2007) tested yet another positive psychology theory, the self-determination theory (Ryan & Deci, 2000), as a possible solution to the low decision latitude problem and the identified low intrinsic motivation of law students. They found that to maximize the learning and emotional adjustment of its graduates, law schools need to focus on enhancing their students’ feelings of perceived autonomy support and psychological need satisfaction. The last two are believed to predict students’ level of well-being, their final law school GPA, and their self-determined motivation to begin their careers.

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The examples for the application and study of positive psychology presented in this section demonstrate its possible function as a solution for bettering law school experience. Based on these and other empirical research this capstone proposes a course focused on training future attorneys the skills and tools of how to manage and increase their mental and physical well-being and overall life satisfaction. Such a course will be instrumental in handling stress and anxiety among law students, and, most importantly, could prevent psychological distress among both: current students and future attorneys.

Part II

Law Students in Balance and The Science Behind It

Lyubomirsky (2007) describes happiness as a pie chart in which she posits that 10% of what determines the level of happiness in people's lives are life circumstances, 50% are predisposed character traits, and 40% represent what individuals can change and improve. An important ingredient in this process is the self-realization that humans are capable through their actions and/or the practice of particular positive interventions to directly influence their happiness. The *Law Students in Balance* curriculum, outlined in Appendix A of this capstone project, focuses on these 40% of the "Pie Chart of Happiness". The class, designed on the basis of empirical evidence, will be taught in law schools and will educate and support law students on how to improve and optimize the changeable 40% in their lives, so they can experience greater well-being. The main positive psychology concepts addressed in the proposed class include: (1) learning about the scientifically tested power of positivity in transforming people's lives; (2) understanding and using signature character strengths to experience *flow* and promote better law school experience and life choices; (3) building resilience and teaching "learned optimism" to deal with law school and life challenges and setbacks; (4) the importance of positive

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relationships, high quality connections and prosocial values for overall well-being; (5) the importance and use of meditation and physical activity for lowering stress and increasing life satisfaction.

1. The power of positivity. In law school students are trained to analyze and foresee worst-case scenarios. Furthermore, by dealing with typically adversarial situations, future lawyers are often focused on finding fault in the potential opposition's position or trying to minimize the weaknesses in their own positions. Lastly, most research performed by law students involves analyzing what is wrong with a particular argument, case, statute, or position. When you also add the stress and competitiveness associated with law school, it is not a surprise that law students and later attorneys experience decrease in their psychological and emotional well-being, physical health, and do not spend much time focusing on positive thinking. Peterson and Peterson (2007) suggest that what law school can do to limit these occurrences would be a “welcome reform”, and recommend:

A comprehensive and proactive effort to prevent law students from stress and depression should include an educational component to explain the benefits of positive emotions and a programmatic component that provides opportunities for students to discover and experience those positive emotions. (p. 65-66)

A main goal of the *Law Students in Balance* course is to do that: To teach law students *positivity* and the scientific research behind the power of positive emotions. The course would demonstrate the distinction between the complex emotion *positivity* and the notion that positivity is simply thinking happy thoughts and being mindlessly optimistic. Positive thinking, if given minimal attention, can make a powerful difference in law students’ and future attorneys’ personal and professional lives (Binstock, *n.d.*).

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Barbara Fredrickson of the University of North Carolina is a world-leading expert on the subjects of positive emotions and positivity. She has developed a theory about the impact of positive emotions that could be of significant help in designing a program to help law students resist stress and depression. Her “broaden-and-build theory” suggests that positive emotions are more than just indicators that a person is flourishing. Positive emotions can also create psychological well-being and physical health (Fredrickson, 1998). The theory states that positive and negative emotions have their own distinctive characteristics and function differently. Fredrickson (2009) argues that negative emotions narrowly focus the mind and direct the body to a very specific action, while positive emotions broaden a person’s possibilities for attention span, thought and action. Her studies show that individuals who have been primed to feel a positive emotion (amusement or contentment) are better able to conceive of a diverse array of immediate actions than individuals who have been primed to feel either of two negative emotions (anxiety or anger) (Fredrickson & Branigan, 2005). For instance, students who are told to think about something happy before taking a standardized math test outperform their peers (Bryan & Bryan, 1991).

Because of the broadening effect of positive emotions, individuals are able to think more creatively and come up with new and original solutions. In an empirical study, doctors primed to experience positive emotion were found to be more efficient when diagnosing patients (Fredrickson, 1998). This and other research (Peterson & Peterson, 2007) show that even small affect interventions are able to induce positive emotion (whether induced by receiving a small gift, reading positive words, or watching a humorous video) and significantly improve decision-making and cognitive flexibility. That would suggest that school environments that are enjoyable and supportive might lead to happier individuals, capable of greater creativity and insight. A law

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school that supports curriculum, infusing knowledge about well-being and flourishing, would be in part representative of such environment.

In addition to the broadening effect, positive emotions build a person's intellectual, emotional, and physical resilience by "undoing" what negative emotions do (Fredrickson, Mancuso, Branigan, & Tugade, 2000). The study that Fredrickson and her colleagues completed to test this hypothesis concluded that experiencing positive emotions can reduce stress and anxiety at the physical level. The subjects of their study who were given the task of public speaking without watching a video that induced positive emotions recovered slower than the ones that watched the video. In addition, they experienced higher anxiety and measurable increases in heart rate, peripheral vasoconstriction, and blood pressure. The findings resonate particularly powerfully in the law school environment where students are often asked to publicly speak, and thus they end up experiencing anxiety. Experiencing positive emotions might permit law students to recover faster from stressful events and to build their resilience.

Psychologists have long been familiar with the concept of the downward spiral in which negative emotions and pessimism can build on themselves and lead to depression (Peterson & Seligman, 1984). Fredrickson's (2007) empirical research and her "broaden-and-built" theory predict a spiral in the opposite direction: An upward spiral of positive emotions and broadened thinking, leading to increases in emotional well-being over time. An increase in positive emotions in addition leads to improvement in coping skills, which in turn predicts more positive emotions.

Law school can not ignore the significance of the research on positive emotions and positivity. They must act on creating an environment in which law students are encouraged to experience these emotions. The proposed *Law School in Balance* course focuses on teaching

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students the theory and the application of the above research. It would inspire and provoke students to: search for positive meaning in their lives and in their law school experience; to savor goodness and recognize the good within the bad in everyday situations; to propel students to practice the simple “count your blessings” intervention; to motivate them to be kind, open hearted, follow their passions, and last but not least, be grateful and compassionate towards themselves and towards others. The class will encourage positive relationships and high quality connections. In such ways the proposed course will evoke positive emotions in law students and make them better and healthier humans and professionals.

2. Signature character strengths and flow. Positive psychology, without discounting the negative events in life, focuses on what is good in life and what is right with people. It also tries to answer the questions: what is a good person and what makes for a good character? It studies the specific strengths of character that make a good and flourishing life possible (Peterson & Seligman, 2004). Good character is what people look for in their leaders, teachers, colleagues at work, what parents look for in their children, and what friends look for in each other (Peterson & Park, 2011). “Good character is not simply the absence of deficits and problems but rather a well-developed family of positive traits” (Peterson & Park, 2011, p. 49).

Based on historical and cross-cultural reviews, *The Character Strengths and Virtues* handbook (Peterson & Seligman, 2004) distinguishes six core moral virtues: wisdom, courage, humanity, justice, temperance, and transcendence. It also classifies 24 character strengths categorized under the six core moral virtues.

Virtues are assumed to be universal, broadband, socially desirable, individual difference constructs; the core characteristics valued by moral philosophers and religious thinkers across cultures and times (Peterson & Seligman, 2004). Peterson and Seligman (2004) speculate that all

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of the six virtues must be present at above-threshold values for an individual to be deemed of good character. Virtues are differentiated from character strengths, which are the observable traits, manifested in cross-situationally consistent behavior.

Character strengths are the psychological ingredients—processes or mechanisms—that define the virtues. They are the distinguishable pathways to displaying one or another virtue. For example, the virtue of wisdom can be achieved through such strengths as creativity, curiosity, love of learning, etc. Character strengths are substantially stable, universal personality traits manifested in thinking, feeling, willing, and action (Niemiec, in press). They are universal across cultures, nations, and belief systems. Peterson and Seligman (2004) believe that given people possess *signature strengths* akin to what Allport (1961) identified as personal *cardinal* traits. These are strengths of character that a person owns, celebrates and frequently exercises. And just as Allport (1961) proposed, interviews with adults have confirmed that people readily identify between three to seven strengths as very much their own (Peterson & Seligman, 2004).

In their attempt to identify and substantiate the existence of certain cross-cultural character strengths that can provide a basis for human happiness and flourishing, Martin Seligman and Christopher Peterson (2004), have created a classification of character strengths and virtues called Values in Action (VIA) that is intended to be the counterpart of the American Psychological Association's canonical Diagnostic and Statistical Manual of Mental Disorders ("DSM"). Just as the DSM identifies the psychological disorders that afflict human beings, the VIA is designed to describe and classify the strengths and virtues that enable human flourishing. The classification of virtues and character strengths created by Peterson and Seligman (2004) served as a foundation for the Values in Action (VIA) Inventory of Strengths—a survey, designed to assess the twenty-four character strengths in people. VIA assists individuals in the

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process of identifying their signature strengths of character—the ones they own, celebrate, frequently exercise, and help bring sense of personal fulfillment (see Appendix A for a table presenting Peterson and Seligman’s classification of the above six virtues and their coordinate twenty-four character strengths). An individual’s top, or ‘signature,’ strengths prove to be mostly stable over time, though these strengths can change in response to significant life events or to concerted efforts at lifestyle change (Peterson & Seligman, 2003, 2004).

While all of the 24 character strengths contribute to life satisfaction, Peterson and his colleagues have found that the strengths most strongly associated with happiness are love, hope, curiosity, gratitude, and zest (Park, Peterson, & Seligman, 2004). Interestingly, a research study on successful women attorneys had similar findings (Snyder, manuscript in progress): these super-achievers regularly used such signature character strengths to meet challenges personally and professionally. In addition, they exhibited a predominance of what positive psychologists refer to as “heart strengths” as opposed to more analytically based “head strengths”, with gratitude and kindness appearing most frequently among lawyers tested. The study suggests that the stereotypical “lawyer personality” in which thinking dominates feeling in every aspect of practice, may not apply to those who excel in the context of their overall career. Cultivation of signature strengths and heart strengths may be useful to increase success and wellbeing in the legal profession and legal education.

The premise behind the strengths theory of positive psychology is that people can benefit when they focus on those qualities and actions that come naturally to them, that they enjoy doing, and that they do well. In this way, a strength can be defined as a “pre-existing capacity for a particular way of behaving, thinking, or feeling that is authentic and energizing to the user, and enables optimal functioning, development, and performance” (Linley, 2008). In fact, people who

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apply their strengths in a focused way experience higher levels of energy, goal attainment, congruence and well-being. In addition, working on enhancing strengths has been associated with numerous positive outcomes in the workplace, including increased employee engagement and job success (Wrzesniewski, McCauley, Rozin, & Schwartz, 1997).

A portion of the *Law Students in Balance* curriculum will assist students in identifying their own signature character strengths. Focus on personal strengths has already been proven successful in the field of education. A study at the University of California-Los Angeles showed that students who were given feedback about their strengths and taught to integrate them into their lives experienced significant increases in self-confidence, self-reflection, and direction (Clifton & Harter, 2003). Another study showed that strengths-based curriculum delivered over a four year period at a Midwestern high school resulted in students' fewer absences and higher grade point averages (Clifton & Harter, 2003). In a recent university level study, incoming freshmen were informed of their top strengths before they arrived on campus and were encouraged to reinforce these strengths throughout the year. At the end of the freshman year, the students had increased levels of academic self-efficacy and life satisfaction compared to a control group (Schreiner & Anderson, 2005).

Of particular interest for this capstone project is a study that suggests that there are certain signature strengths that seem to be associated with resistance to stress and depression among law students (Peterson & Peterson, 2010). While this research confirms the findings of previous studies on law student population reporting significant levels of psychological distress, it also confirms the hypothesis that often students who use their top strengths in daily life report higher well-being. With a strengths-based approach of positive psychology, students who find

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ways to use their top strengths are less likely to suffer from depression and are more likely to succeed in law school.

One of the principal themes in the literature on law student distress is that students suffer from the loss of individual character. That, combined with the singular focus on academic performance, makes it apparent that “law school seems to communicate to students that it is how you do, rather than who you are, that really matters” (Krieger, 1998, p. 7). For a law student faced with these threats to individual identity, the ability to maintain the active use of signature character strengths could well serve as a powerful antidote. A student who is taught how to recognize and use his top strengths every day would not feel depersonalized. Rather, a strengths-based curriculum in law school and/or a well-being course may bring out the very best of what a particular persona has to offer.

Peterson and Peterson (2009) have found that two of the character strengths with the highest positive correlations to law student’s well-being were hope and love. In the VIA classification hope and love are considered to be strengths of transcendence and humanity and are directly tied to the emotional side of life that may be threatened in law school. In theory, students who are prepared to and find ways to channel these strengths into their everyday life would be better prepared to combat the potentially damaging effect of law school on their emotional well-being. Perhaps, a curriculum focused on positivity, learned optimism, HQCs and prosocial motivation (the last two are discussed in detail later on in this capstone), can allow laws students to “practice” the strengths of love and hope and accomplish higher levels of well-being and life satisfaction.

Bowling (2012) emphasizes that finding *flow*, in addition to a focus on signature character strengths in law school, can be used as a means to ameliorate the negative effects of legal

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education. The concept of flow was shaped by Mihaly Csikszentmihalyi (1990) and it represents a state of complete flow which people experience when they are completely immersed in a often challenging activity that they are good at and they enjoy doing. In flow people operate at their highest capacity. Examples of being in flow are the dancer or musician while performing, a surgeon executing a complex surgery, a child playing a favorite game. Bowling (2012) suggests that the concepts of signature character strengths and flow can be considered when constructing the law school curriculum in a way that it allows law students to “build concentrations in certain areas, once that presumably are aligned with their strengths and interests” (Bowling, 2012, p. 17). He also supports the idea that in addition to the aligned curriculum, when using the tools of positive psychology law schools can attempt to counsel their students and encourage them to “major” in the appropriate sub-discipline (Bowling, 2012, p. 17).

The *Law Students in Balance* course and curriculum will give law students the awareness and knowledge necessary, so they can rediscover, acknowledge and own their signature strengths, align them with their interests and aspirations, and identify the field of law that would best suit their future plans and dreams. The class will assist them in “practicing” signature strengths by training them the techniques and tools on how to apply them and how to experience flow in everyday life. In such way the application of the proposed curriculum will increase students’ well-being and overall satisfaction with life and law school, and will alleviate the psychological distress that they experience.

3. Resilience and learned optimism. Some of the most important tools and skills to deal with law school’s stressful environment and with life’s setbacks in general are the techniques for building resilience and encouraging learned optimism as opposed to pessimism.

Psychologists have been studying resilience since the 1970s, and research has confirmed

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that there are many aspects of resilience that are teachable (Reivich & Shatté, 2002; Seligman, 1990). The term *resilience* has multiple definitions, but the one the proposed curriculum will use is: *a set of processes that enables good outcomes in spite of serious threats* (Masten, 2001). In other words, resilience is the ability to persist in the face of challenges and to bounce back from adversity. There are a number of evidence-based protective factors that contribute to resilience: learned optimism, effective problem solving, faith, sense of meaning, self-efficacy, flexibility, impulse control, empathy, close relationships, and spirituality, among others (Masten & Reed, 2002). The preparation portion of the *Law Students in Balance* course incorporates key elements from the PRP mentioned above (Gillham, Reivich, & Jaycox, 2008) as well as from a parallel program called APEX (Gillham et al., 1991; Reivich, Shatte', & Gillham, 2003). APEX has applied a similar methodology to prevent depression and anxiety among college students. Both the PRP and the APEX programs include training modules to improve cognitive and social skills.

Central to the *Law School in Balance* curriculum is Albert Ellis's ABC (adversity-belief-consequence) model, which holds that one's beliefs about events drive one's emotions and behaviors (Ellis, 1962). Students will be taught to monitor their beliefs and evaluate the accuracy of these beliefs (Beck, 1976; Beck, Rush, Shaw, & Emery, 1979). A key element of the Ellis model is *explanatory style*, which refers to how individuals explain both positive and negative events in their lives. Pessimists tend to attribute the causes of negative events to permanent, uncontrollable, and pervasive factors (Abramson, Seligman, & Teasdale, 1978). Depressed people are more pessimistic than their non-depressed peers, and people with pessimistic styles are at greater risk for depression than their optimistic counterparts (e.g., Nolen-Hoeksema, Girgus, & Seligman, 1992; Seligman et al., 1984). Conversely, optimists tend to attribute the

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causes of negative events to temporary, changeable, and specific factors and *optimism* is the ability to dispute recurrent catastrophic thoughts effectively.

Although optimistic explanations act as buffers against depression, the extent to which they are inaccurate can interfere with problem solving. In the *Law Students in Balance* course, students will learn how to detect inaccurate thoughts generated by their explanatory styles, to evaluate the accuracy of those thoughts, and to reattribute those thoughts to more accurate causal beliefs. Said in another manner, law students will learn to be realistically optimistic in order to build up their resiliency skills. This approach turns the tables on the assumption in law that pessimism is a virtue for lawyers and on law schools' theory and pedagogy which boosts pessimistic thinking style (Seligman et al., 2001). The *Law Students in Balance* course will teach students techniques that will enable them to determine how and in what situations they should apply optimism and when pessimism. These techniques will teach future lawyers to appropriately use optimism in their lives, yet maintain an adaptive recognition of pessimism in their professional lives.

Research indicates that most people consider themselves to be fairly resilient, yet in reality most are neither psychologically nor emotionally prepared to handle adversity with resilience (Reivich & Shatté, 2002). The proposed *Law Students in Balance* course will teach seven skills that built up resilience and optimism: 1) "listening" to one's own thoughts and understanding the way they affects students' feelings and behavior, 2) avoiding thinking traps, 3) detecting "icebergs" or deep beliefs that work against one's well-being, 4) testing the accuracy of one's beliefs about problems, 5) putting things in perspective, 6) calming one's mind and focusing on the task at hand, and 7) practicing real-time resilience by changing counterproductive thoughts into more resilient ones.

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The *Law Students in Balance Course* will assist students in learning to understand thinking styles and developing the above skills. In addition it will help them recognize the true causes of adversities and will strengthen their resilience and ability to bounce back from the various set backs experienced in most law students' daily lives.

4. Positive relationships, high-quality connections and prosocial activities. One of the downsides of law school, contributing to students' impaired emotional and psychological well-being, is the unbalanced development of students' interpersonal skills (Benjamin et al., 1986). That is inflicted in few ways: (a) high student-faculty ratio and low student-teacher interactions; (b) intense competition among students, which leads to lessen possibility for the development of positive relationships and HQCs (Peterson & Peterson, 2009); and (c) first year of law school drives students' motivations away from an emphasis on community service and prosocial values. In contrast, contemporary science is certain: "Other people matter" (Peterson, 2006, p. 249).

Positive relationships Empirical research has shown that positive relationships might be perhaps the single, most important source of life satisfaction and emotional well-being (Reis & Gable, 2003). Reviewing cross-national studies of the sources of subjective well-being, Diener (2000) found that in every country included in these studies, social relationships were the only factor consistently predicting subjective well-being. In addition, an over 70-year longitudinal study, conducted by George Valiant (2002) and his colleagues at Harvard University, examined the life experiences of 268 men—their relationships, careers, education, life circumstances, etc. Their research concluded that family life and relationships, community, and commitment to others, and in addition, spirituality and ideals that matter, are the most important, deciding factors for well-being and success in life.

Considering both: The empirical data that supports the idea that forming and maintaining

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stable relationships is a critical component of health and well-being, and also the reality of law schools described throughout this capstone project, it is clear how the science of positive psychology can offer various solutions to the identified problems.

Besides the obvious structural change that can be accomplished by law school's administration—lowering the number of students in each class would allow for closer and more valuable student—professor interactions, professors and law school staff can be introduced to and trained in the practice of the self-determination theory (SDT). SDT is a humanistically oriented but also rigorously empirical theory of the human motivation (Sheldon & Krieger, 2007). It studies the degree to which people's actions are determined by free choice and inner beliefs (intrinsic motivation) or by outside forces and external rewards (extrinsic motivation) (Peterson & Peterson, 2009).

For intrinsic motivation to be present in subordinate individuals like law students, authority figures (professors, university staff) must provide “autonomy support”. In the context of law school, autonomy support would have three important characteristics: (1) “choice provision,” in which students are presented with as much choice as possible; (2) “meaningful rationale,” in which students are helped to understand that situations where they have no choice; and (3) “perspective thinking,” in which students feel that their point of view is valued and considered by their school's professors and administrators. (Peterson & Peterson, 2009, p. 35)

In their study, Sheldon and Krieger (2007) suggest that satisfaction of these three psychological needs that form the basis of SDT would be correlated with improved subjective well-being. Based upon their study on law students, they concluded that autonomy support does predict higher levels of subjective well-being, better graded performance, and more self-

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determined motivation to pursue long term goals related to the law career.

Another way in which law faculty and administration can use the findings of positive psychology to encourage positive relationships in law school is by offering a course, such as *Law Students in Balance*. The course will teach the theory and practice of positive relationships, HQCs and prosocial motivation.

Among the other design elements of the course, *Law Students in Balance* will highlight the complexities involved in relationships, with an emphasis on positive processes, with the goal of creating a picture that represents the dynamic reality of the social world. It will first discuss the important role that positive relationships—romantic and friendship—play in human life and their strong links with health and well-being. Then the course will highlight research on the positive processes in relationships, such as positive emotional expressions, shared novel experiences, intimacy, and the benefits of sharing positive events. Positive emotional exchanges are the foundation on which stable and satisfying relationships rest (Gable, Gonzaga & Strachman, 2006). Students will be able to practice and see how displaying low levels of negative emotions may not be enough to create a strong relationship—expressions of positive emotions are also beneficial.

Capitalization. Bad events are inevitable and happen; yet good things happen, too. In fact, in everyday life, positive events happen more often than negative at a ratio of least three to one (Gable & Haidt, 2005). Various empirical studies have shown that people tend to share their good news with others or *capitalize* (e.g., Gable, Reis, Impett, & Asher, 2004; Gable, Gonzaga, & Strachman, 2006; Langston, 1994). The term *capitalization* refers to making the most out of, or capitalizing on, positive events (Langston, 1994). Research on capitalization has investigated the consequences of the act of telling others about positive event, as well as the effect of the

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response of the person with whom the event was disclosed. A common finding in capitalization research is that when people share positive events with others, they experience more positive effect, well-being, self-esteem, and less loneliness. In addition, the more people we share with, the better the outcomes. The way the “listener” of the positive event responds is an important part of the effectiveness of the process of sharing.

Responding to capitalizing. Gable et al. (2004) created a measure of perceptions of how people respond to a shared positive event—the Perceived Responses to Capitalization Attempts (PRCA). Using this measure empirical research concluded that there are four types of reactions to capitalization attempts: active-constructive responses, passive-constructive responses, active-destructive responses, and passive-distractive responses (see Appendix B for a simplified ACR table with examples for clarification.)

Active-constructive responding. Active-constructive responding involves the expression of sincere excitement or enthusiasm and the shown desire to learn more about the shared positive event. *Passive-constructive responding* conveys positive reaction to the event, but it is subdued as the responder says little to nothing as a reply. In *active-destructive responding* the responder is engaged in his reaction, yet the feedback is negative. Finally, the passive-destructive responding simply does not acknowledge the event at all: the responder changes the subject or redirects the conversation to a personal for him event.

Studies have shown that active-constructive responding predicts positive relationships. The *Law Students in Balance* course will create awareness among law students about the way they share and respond to positive events. This awareness will elevate their positive effect, help them develop better personal and professional relationships and assist them in building their prosocial skills. In a larger scale, law school staff and faculty need to consider that impaired

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positive relationships lead to changes in decision making regarding risk in non-social domains (Cavallo, Fitzsimons, & Holmes, 2009). On the contrary, capitalizing or supportive responding increases the likelihood of goal attainment (Feeney, 2004), and—one could argue—supportive law school environment would encourage processes such as creativity, flow, and intergroup cooperation (Gable & Gosnell, 2011).

High quality connections (HQC). Contemporary research on positive relationships is clear: human connections in organizations are vital (Dutton & Heaphy, 2003). Whether they form as part of long-term relationships or brief encounter, they have tremendous impact on success. Organizations depend on individuals to interact and form connections to accomplish the goals of organizations. The need for transformation in law schools as institutions is evident and undeniable. As part of the improvement process law school faculty and administration can use the findings of the scholars of positive organizations. A key in transforming the law school experience can be the formation and nurturing of HQCs, which are described as interpersonal, positive connections, marked by mutual positive regard, trust, and active engagement experienced by both sides engaged in the process (Dutton & Heaphy, 2003). In the law school context *both sides* can be: professor—student, administration—student, professor—administration.

In a HQC people feel more open, competent, and alive (Dutton & Heaphy, 2003). They improve individual functioning through affecting cognitive, psychological and behavioral processes. For example, experimental studies suggest that even small amounts of interaction with others can improve both: person's cognitive performance in terms of speed of processing and working memory performance (Stephens, Heaphy, & Dutton, 2011). Furthermore, in a review of medical evidence, Heaphy and Dutton (2008) show how brief interactions at work (or at school)

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can have beneficial effects on individuals through affecting the cardiovascular, neuroendocrine, and immune systems. HQCs are important means by which individuals develop and grow, enhance and enrich identities, and form attachments to organizations or to communities (Stephens, Heaphy, & Dutton, 2011).

Since a primary goal of every educational institution, including law schools, should be to provide knowledge and positive learning experience to their students, the importance of HQCs for learning cannot be overlooked. HQCs function as vessels in which knowledge is passed from one person to another. In a HQC knowledge is absorbed faster and more completely, and people are given the opportunity to acquire, develop, and experiment with new knowledge or ways of being (Dutton & Heaphy, 2003).

HQCs enable people to learn how to be practitioners and enable competence. Mutual empathy and mutual empowerment provide a relational context to safely navigate and learn about unfamiliar thoughts and feelings. Finally, relationally competent people can use HQCs to design effective learning situations. (Dutton & Heaphy, 2003, p. 274)

The *Law Students in Balance* course will teach law students the theory behind HQCs while also exploring the various ways in which such connections can be formed and experienced in the reality of law school. Various interventions for “practicing” HQCs will be applied, with primary focus on the development of skills, which enrich such connections: conveying presence, being genuine, communicating affirmation, effective listening, and supportive communication. Examples of such interventions are: crafting and presentation of positive introduction (detailed description can be found in the pre-course assignments section of Appendix A), trust building exercises such as blindfolding a person and having them rely on a classmate to experience the

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world for 10-15 minutes (J. Dutton, personal communication, March 3, 2012), organizing group class events, sending a gratitude e-mail to a classmate.

Prosocial motivation: Krieger (1998) argues that the intense pressures and competitive success norms at most law schools begin a process that reorients students away from positive personal values and towards more superficial rewards and image-based values, leading to a loss of self-esteem, life satisfaction, and well-being. Many young adults enter the field of law with the motivation to help others, and soon after they start their legal education, empirical studies suggest, they experience a troubling increases in extrinsic values and declines in self-determined motivation and initially existing intrinsic (Sheldon & Krieger, 2007). The work of positive psychology researchers on prosocial motivation experienced at the work environment can be extended to address the problem.

Prosocial motivation is the desire to protect and promote the well-being of other people or social collectives (Grant & Berg, 2010). Key precursors include interpersonal job design, collectivistic norms and rewards, and individual differences in other-oriented values, agreeableness, and conscientiousness. Studies suggest: Prosocial motivation more strongly predicts persistence, performance, and productivity when it is intrinsic rather than extrinsic; citizenship behaviors when it is accompanied by impression management motivation; and performance when manager trustworthiness is high. Prosocial motivation strengthens the relationship between intrinsic motivation and creativity, core self-evaluations and performance, and proactive behaviors and performance evaluations. In terms of psychological mechanisms, prosocial motivation accomplishes these effects by increasing the importance placed on task significance, encouraging perspective taking, and fostering anticipatory social emotions of anticipated guilt and gratitude (Grant & Berg, 2010).

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The research in public management showing how prosocial motivation can affect the very types of jobs, careers, and industries that individuals pursue, could be (Perry & Hondeghem, 2008) extremely important and helpful when educating future attorneys. It would be absolutely unrealistic and unreasonable to think that every law student should enter the field of public interest law, and not be extrinsically motivated at all. Yet, if law students are encouraged to “feel and practice” the power of prosocial motivation while in training, they are more likely to incorporate pro-bono work in their future practices. And it is one of the findings of positive psychology that selflessly helping others is one of the best predictors for lasting positive emotions and experienced subjective well-being (Seligman, 2011).

The *Law Students in Balance* class will “force” law students to engage in prosocial activities and examine first hand their benefits. It will also provoke them to look toward the future and picture in detail and plan for the ideal practice of law that they would want to be part of. Law practice not excluding making money, having good image and a status in the society, yet a law practice that would stimulate and honor also their intrinsic values.

5. Physical activity and meditation. Physical activity and meditation are scientifically tested pathways for lowering stress, prevention of psychological disorders and the promotion of physical health. As such, they are considered as a vital part of the *Law Students in Balance* curriculum.

Physical activity. The benefits of physical activity have been extolled throughout western history, but it was not until the second half of this century that scientific evidence supporting these beliefs began to accumulate. It is a growing understanding of how physical activity affects physiologic function. The body responds to physical activity in ways that have important positive effects on musculoskeletal, cardiovascular, respiratory, and endocrine systems (The United

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States Surgeon General, 1999). These changes are consistent with a number of health benefits, including a reduced risk of premature mortality and reduced risks of coronary heart disease, hypertension, colon cancer, and diabetes mellitus. Regular participation in physical activity also appears to reduce depression and anxiety, improve mood, and enhance ability to perform daily tasks throughout the life span.

The rigorous academics at law schools and the introduction of computer technologies have intensified the educational process and, naturally, set more strenuous requirements for students. It is known that during the period of study, the central nervous system (CNS) of students is subjected to extreme loads (Akhmedova, Ovezgeldyeva, & Grigoryan, 2011). One of the causes is chronic stress linked to a sharp change in their lifestyle, considerable information loads, the specifics of the educational process, and increased psycho-emotional stress. In addition to educational loads, the ecological influence of the environment (the climatic conditions, the longer time spent in front of the computer monitor, the presence in poorly ventilated rooms, etc.) adds to the problem. The social conditions, the problems of interpersonal relationships at home and in student groups, and shortage of time increase the level of stress.

Taking into account that the mental activity of students is becoming increasingly more complicated in structure and character and, hence, more dependent on the conditions under which it proceeds, it is important to clear up the issue of how physical activity influences their mental activity and, accordingly, the adaptation to the educational process.

There are numerous studies presenting the positive effects of regular physical activity on the overall physical and psychological well-being of students, and people in general. For the purposes of this capstone project I will review only two of them. Their findings can be used as

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significant indicators that *Law Students in Balance* course, which inspires students to be active can enhance students law school experience and overall health.

Mutrie and Fulkner (2004) focus an entire study exclusively on physical activity as a positive intervention and its benefits for psychological well-being. They define physical activity as a general term that refers to any movement of the body that results in energy expenditure above that of resting level. The study identifies the four key functions of physical activity: (a) preventing mental health problems; (b) therapeutic for existing mental health problems; (c) improving the quality of life and coping capabilities for people with mental health problems; and (d) improving the psychological well-being of the general public by promoting: subjective well-being, mood, and affect; strategies to reduce stress; self-esteem and self-perception; sleep and cognitive functioning. Considering these four functions, it is clear that encouraging law students to practice regular physical activity it would benefit their overall physical and psycho-emotional well-being.

In support of this notion are also the findings of another recently done empirical research (Akhmedova, Ovezgeldyeva, & Grigoryan, 2011). The psychophysiological condition of first year students (males) going or not going in for sport in the course of training was investigated. The functional level of the nervous system, the stability of neural responses, and the level of functional abilities of the developed functional system were evaluated. A total of 171 apparently healthy students (males), with ages varying between 16 and 25 years were divided in two groups and examined. Group 1 was exposed only to mental loads in the process of teaching (physical training lessons were absent). Group 2 was subjected to physical activity loads in addition to their regular schoolwork during training. The study concluded that an improvement in the mental capacity parameters (increased mental capacity, reduction in the number of errors, an increase in

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the level of functional abilities, and shortening of the latent period of visuomotor response) was observed among the physically active students.

The findings of the above mentioned studies have been considered in the design of the *Law School in Balance* curriculum. The course will require its participating students to be physically active while participating in class in a one simple way (regardless of their level of current physical activity). The course will require each student to do 10,000 steps per day per the recommendation of the U.S. Surgeon General (1999) at least four days a week and journal about the experience on a viewed by everyone in the class blog. To take the equivalent of 10,000 steps per day, students can walk, swim, run, dance, lift weights, or do yoga or a host of other ways of moving vigorously. Students with disabilities will be encouraged to consult with a specialist to make sure they do the most that is possible and safe for them in order to be physically active.

In their study Mutrie and Fulkner (2004) also acknowledge the potential role of physical activity for broader determinants of health within communities in general. They believe that physical activity can be used in the process of reducing social exclusion and crime, increasing family play, building a sense of community, improving the physical environment and creating respite opportunities. Considering these findings, by including required physical activity as part of the *Law Students in Balance* course, I believe that student's interpersonal skills can be improved as well.

Meditation. The scientific research on meditation in the West started in the 1970s and has since increased exponentially. Looked from the lens of positive psychology, meditation is studied as a pathway to uncover the positive and to catalyze people's internal potential for healing and development (Shapiro, Schwartz, & Santerre, 2002).

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Meditation, originally perceived within the religious and philosophical context of Eastern spiritual disciplines, is now an essential element in nearly all religions and spiritual traditions (Goleman, 1988). Various methods whose background and techniques are quite different are placed collectively under the umbrella term of *meditation*. In this capstone project I will use the following definition: “Meditation refers to a family of techniques which have in common a conscious attempt to focus attention in a non-analytical way, and an attempt not to dwell on discursive, ruminating thought” (Shapiro, 1980, p. 14). The definition is independent of religious framework or orientation. It uses the word *conscious* to introduce the importance of the intention to focus attention, and the word *attempt* to emphasize on the process, not on the specific end goals or results.

For the purposes of this capstone project and for the intended goals of the *Law Students in Balance* curriculum, this paper I will not discuss the different types of concentrative and mindfulness meditations. Instead, I will focus on exploring some research that examines the psychological and physiological effects and benefits of meditation, that can be used to promote law students’ psycho-emotional and physical well-being.

In its foundation meditation has been examined as a self-liberation strategy to increase compassion, understanding, and wisdom. Yet, meditative practices are found to be an effective intervention for cardiovascular disease, chronic pain, anxiety and panic disorder, substance abuse, dermatological disorders, and reduction of depressive symptoms in nonclinical populations (Shapiro et al., 2002) (most of which are recognized as typical disorders experienced by law students and attorneys (Seligman et al., 2001; Eaton et al., 1990). Positive psychology research has expended the knowledge on the effects of meditation on positive psychological health. Studies on the subject have found that meditative practices support: improvements in self-

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actualization, empathy, sense of coherence and stress-hardiness, increased autonomy and independence (the importance of autonomy for law students was notes earlier in this paper), a positive sense of control, increased moral maturity, and spirituality (Shapiro et al., 2002). Positive behavioral effects of meditating include heightened visual and auditory perception, improvements in reaction time and responsive motor skill, increased field independence, and increased concentration and attention.

The described benefits of practicing meditation in most part address directly the explored already psychological and physical problems experienced by law-students (and attorneys). The *Law Students in Balance* class will: teach the benefits of meditation, will introduce and explore various (tested by positive psychologists) meditative techniques to its students, and will encourage daily practice of these techniques. For example, students will be required to practice for a week and journal about the experience of *Loving-Kindness Meditation*, which was found to support the *broaden-and-build theory* of positive emotions discussed earlier in this paper (Fredrickson, 2009). An empirical study has shown that this meditation practice produced increases over time in daily experiences of positive emotions, which, in turn, produced increases in a wide range of personal resources (e.g., increased mindfulness, purpose in life, social support, decreased illness symptoms). In turn, this growth in personal resources predicted increased life satisfaction and reduced depressive symptoms.

Conclusion

Numerous research studies validate the sobering reality of law schools in the United States: a large percentage of law students experience greater levels of depression, stress, and anxiety, and also higher rates of alcohol and drug abuse than their peers at other graduate schools' programs. The proposed *Law Students in Balance* course might not be the solution to all

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identified problems, yet it could prove to be a positive and adequate step in the right direction. The course, founded on the constructs of the science of positive psychology, addresses directly the acknowledged issues and offers practical and adequate solutions to overcome them.

The shared goal of positive psychology and the *Law School in Balance* course is to contribute to the flourishing and optimal functioning of people, groups, and institutions. This goal and the proposed by the course pathways to achieve it are an adequate answer to Marva Collins question that this capstone project began with: “How can we cultivate the seed of greatness in our students?” (Collins, 1990).

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Appendix A

Law School In Balance Curriculum

Course Title:	LAW STUDENTS IN BALANCE
Taught by:	Tatiana I. Pavlova-Coleman, MAPP Tatiana_Pavlova-Coleman@alumni.upenn.edu
Description:	The course-seminar is designed for first year law students. It is a yearlong course that meets once every two weeks for 3 hours at the time. The course focuses on the psychological aspects of a fulfilling and flourishing life made possible in the context of law school. Topics include: well-being, positivity, identifying personal signature strengths, resilience, learned optimism, positive relationships, high quality connections, prosocial motivation, and stress releasing tools. Each class will include: “theory” presentation, readings discussion, and an applied positive interventions discussion.
Course Objective:	The Law Students in Balance course is focused on helping law students understand the unique challenges law presents to thriving, the positive psychology basis for broad adaptations to those challenges, and practice of skills based on those adaptations.
Rules for writing assignments:	Please submit all writing assignments as Word documents, and follow APA style guidelines—including 1-inch margins, double-spacing, and a 12-point Times New Roman font. Be sure to proofread your papers carefully before submitting them.

Recommended Pre-Course Reading:

Peterson, C. (2006). *A Primer in Positive Psychology*. Oxford: Oxford University Press.
 Seligman, M. E. P., & Csikszentmihalyi, M. (2000). Positive psychology: An introduction. *American Psychologist*, 55(1), 5-14.

Wrzesniewski, A. (2003). Finding positive meaning in work. In K. Cameron, J. E. Dutton & R. E. Quinn (Eds.), *Positive Organizational Scholarship* (pp. 296-308). San Francisco: Berrett-Koehler.

Pre-Class Assignments:

1. Craft a **one-page** double-spaced, 12-point type, Times New Roman "**positive introduction.**" During the first class you will have the opportunity to introduce yourself in this positive way to your "cohort," the small group of 3-5 students you will be working closely with over the course of the school year. To prepare your introduction, think of a time in your life when you were at your best. It may have been in response to a particular challenge, or it may have been simply an initiative you took to make a good situation even better. Write the introduction as concretely as you can, allowing the facts of the story to demonstrate your strengths, and think of a powerful way to end it. This is an unusual exercise that may feel awkward at first. (It may feel like bragging--

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something we've all been taught not to do!) The more meaningful and authentic the experience you entrust to your cohort members, the deeper and richer will be the beginning of your work together. **You need to bring this to our first class.**

Chris Peterson describes positive introductions (he calls them "serious introductions") in more detail in his *Primer in Positive Psychology* (see pages 25-28). I suggest you read those pages in preparation for writing your own positive introduction.

2. Write a short no more than 50 words description for each of the following words: "job", "career", "calling".
3. Complete the VIA Signature Strengths Questioner, which you can find on the www.authentichappiness.com website.

Class 1: *Introduction to Positive Psychology, Positive Interventions in the Context of Law School.*

- The class will start with 5 minutes Loving-Kindness meditation.
- The class will introduce positive psychology as a field in psychology and will answer the question: Why do we need positive psychology in our lives and in law school. It will identify the unique challenges that law—it's theory and practice—presents to people engaged in studying and later on practicing law as a profession.
- The class will discuss the meaning of the words "job", "career", and "calling" in relation to the practice of law.
- After a short presentation on what positive interventions are, students will be divided in cohorts and will have the opportunity to introduce themselves to their cohort members with the written by them "positive introductions". A discussion of the feelings and experience after the first applied positive intervention will follow.
- Homework instructions.

Reading Assignments for Class 2:

Required:

Frankl, V. E. (1984). *Man's Search for Meaning*. New York, NY: Simon & Schuster. (Read pages 64-80)

Melchert, N. (2002). Aristotle: The reality of the world. The good life. In *The great conversation: A historical introduction to philosophy, 4th ed.* (pp. 186-194). Boston: McGraw-Hill. (Read through the first few lines of p. 195.)

Seligman, M. E. P. (2011). *Flourish: A visionary new understanding of happiness and well being*. New York, NY: Free Press. (Read chapters 1 and 2)

Schiltz, P. J. (1999). On being a happy, healthy, and ethical member of an unhappy, unhealthy, and unethical Profession. *Vanderbilt Law Review*, 52, 871-903. (Read pages 872, 881-888)

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Optional (it will be discussed in class):

Seligman, M. E P, Steen, T., Park, N., & Peterson, C. (2005). Positive psychology progress: Empirical validation of interventions. *American Psychologist*, 60(5), 410-421.

Homework Assignments:

1. Write a no more than two page essay on the reasons why you applied to law school and how do you see your ideal practice of law in the future.
2. On our class website, in the designated area post two no more than 10 words long each purpose statements. One will represent your purpose in life and one will represent your purpose in relation to the practice of law.
Sample purpose statement: Protect and stand for the rights of underprivileged and minorities.
3. Start your daily “Three good things” journal: students are required to keep the journal throughout the school year. If students desire they can write their journal on the offered online blog, where the postings will be shared with their classmates and the professor. Discussion is encouraged.
4. Start practicing the “10,000 steps” physical activity program at least 4 times per week throughout the school year. Students are required to find a way to do at least 10,000 steps per day. They can walk, run, dance, do yoga, etc. If possible, students that have not been physically active in their lives so far are encouraged to purchase a pedometer and start by walking. Students will be required to blog their physical activity on the designated on the *Law Students in Balance* website blog area.

Class 2: *Well-being, happiness, flourishing.*

- The class will start with 10 minutes Loving-Kindness meditation.
- The class will discuss writing assignments and purpose statements.
- Lecture on well-being theories, happiness and flourishing and how they relate to the law school environment and the law profession.
- The class will discuss assigned readings.
- The class will discuss the “three good things” and “10,000 steps” interventions.
- Homework instructions.
- The class will end with 5 minutes Laughter Yoga practice.

Reading Assignments for Class 3:

Required:

Fredrickson, B. L. (2009). *Positivity: Groundbreaking research reveals how to embrace*

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the hidden strength of positive emotions, overcome negativity, and thrive. New York, NY: Crown Publishers.

Peterson, C. (2006). *A Primer in Positive Psychology*. Oxford: Oxford University Press. (Read Chapters 3,4 and 5)

Homework Assignments:

1. Continue with homework assignments 2 and 4 from Class 1.
2. Complete the PANAS Questionnaire, which you can find on the www.authentic happiness.com website.
3. Write a no more than 1 page paper, reflecting on your PANAS results in the context of the assigned readings. Describe your best (brief) thoughts on any insights from your PANAS ratio and/or any ideas or inspirations you have gained from Frederickson's Broaden and Build Theory.
4. In the designated area on the Law Students in Balance website write a critical question that you are still pondering about the impact of positive emotions. Make sure to reply to at least two other classmates' questions.

Class 3: *Positivity.*

Class 4: *Practicing Positivity.*

Class 5: *Introduction to the theory of Signature Character Strengths and the Concept of Flow.*

Class 6: *Practicing Signature Character Strengths and Flow.*

Class 7: *Introduction to Resilience and Learned Optimism.*

Class 8: *Practicing of Specific Tools for Building and Enhancing Resilience and Learned Optimism.*

Class 9: *Practicing of Specific Tools for Building and Enhancing Resilience and Learned Optimism.*

Class 10: *Practicing of Specific Tools for Building and Enhancing Resilience and Learned Optimism.*

Class 11: *Introduction to Positive Relationships.*

Class 12: *Practicing positive relationships. Applying tools for building positive relationships.*

Class 13: *Introduction to High Quality Connections.*

Class 14: *Practice of High Quality Connections.*

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- Class 15:** *Prosocial motivation.*
- Class 16:** *Practice of prosocial motivation.*
- Class 17:** *Stress-releasing tools: More about meditation and physical activity.*
- Class 18:** *What was this course all about? Revisiting meaning statement. Bonding, experienced like never before – SURPRISE CLASS INTERVENTION!*

Appendix B

Peterson and Seligman's Classification of Virtues and Character strengths:

Virtue and strength	Definition
1. Wisdom and Knowledge	Cognitive strengths that entail the acquisition and use of knowledge
Creativity	Thinking of novel and productive ways to do things
Curiosity	Taking an interest in all of ongoing experience
Open mindedness	Thinking things through and examining them from all sides
Love of learning	Mastering new skills, topics, and bodies of knowledge
Perspective	Being able to provide wise counsel to others
2. Courage	Emotional strengths that involve the exercise of will to accomplish goals in the face of opposition, external or internal
Authenticity	Speaking the truth and presenting oneself in a genuine way
Bravery	Not shrinking from threat, challenge, difficulty, or pain
Persistence	Finishing what one starts
Zest	Approaching life with excitement and energy
3. Humanity	Interpersonal strengths that involve "tending and befriending" others
Kindness	Doing favors and good deeds for others
Love	Valuing close relations with others
Social Intelligence	Being aware of the motives and feelings of self and others
4. Justice	Civic strengths that underlie healthy community life
Fairness	Treating all people the same according to notions of fairness and justice
Leadership	Organizing group activities and seeing that they happen
Teamwork	Working well as member of a group or team
5. Temperance	Strengths that protect against excess
Forgiveness	Forgiving those who have done wrong
Modesty	Letting one's accomplishments speak for themselves
Prudence	Being careful about one's choices; not saying or doing things that might later be regretted
Self regulation	Regulating what one feels and does

6. Transcendence

Strengths that forge connections to the larger universe and provide meaning

Appreciation of Beauty and

Excellence

Gratitude

Hope

Humor

Religiousness

Noticing and appreciating beauty, excellence, and/or skilled performance in all domains of life

Being aware of and thankful for the good things that happen

Expecting the best and working to achieve it

Liking to laugh and tease; bringing smiles to other people

Having coherent beliefs about the higher purpose and meaning of life³

³ See Seligman and Peterson's (2004) Classification of Virtues and Signature character strengths.

Appendix C

Table representing the four types of responding to capitalization

(Based on Gable et. al, 2006).

	C O N S T R U C T I V E	D E S T R U C T I V E
A C T I V E	<p>Enthusiastic Support</p> <p>“Wow, that is a great news! How are you feeling, tell me more about it!”</p>	<p>Quashing the Event</p> <p>“Boy, that’s going to mean even more stress. I don’t envy you!”</p>
P A S S I V E	<p>Quiet, Understated Support</p> <p>“That’s nice!”</p>	<p>Ignoring the event</p> <p>“Listen to happened to me!”</p>