

Examining the Connections Between Lawyer Mindset at Work, Physical Health, and Career Trajectories

by Ben Pipari

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You've been given a simple edict since you were a kid: wash your hands so you don't get sick. And dutifully, you've obliged. But what if you could also stay healthy just by having an active, engaged, and positive approach at work? New research shows that a handful of characteristics related to mindset can predict an attorney's health, for better or worse, and that mindset and physical health are intertwined. In other words, a healthy attorney is also a flourishing attorney. With what we already know about the link between exercise and productivity, it's easy to see how mind, body, and career success are all connected.

We can't be good at our jobs if we don't feel well. It's difficult to write a brief or attend a client meeting if you have the flu. But the converse is also true: If you are master of your fate and you flourish at your job, you're less likely to get sick, since an unfavorable work environment can lead to minor ailments like colds and headaches. In other words, you need more than hand sanitizer at work to stay healthy. You also need a healthy outlook.

We often attribute minor physical ailments to workplace stress. And it's true: stress at work wears us out. It reduces our ability to ward off illness by lowering our immune response. But it's a bit more complicated than that. Stress is actually a product of everything in our lives, including our mindset at work. If you keep the proper mindset there, you'll be able to stay physically healthier. So it's not a big leap to say that a healthy attorney is more likely a productive attorney, because flourishing at work and feeling healthy likely lays the groundwork for better

creative thinking and problem solving — necessary skills for any attorney. It's a positive feedback loop.

In a recent study of attorneys at Am Law 200 firms, Heather Bock, Lori Berman, and Juliet Aiken examined the connections between mindset at work and physical health. Bock is Global Chief Learning Officer at Hogan Lovells and a visiting professor at Georgetown University Law Center; she holds a Ph.D. in Organizational Behavior and a Masters in Public Health. Berman is Director of Professional Development at Hogan Lovells and an adjunct professor at Georgetown University Law Center. Aiken is the Director of Research for the Georgetown University Law Center for the Study of the Legal Profession. Both Berman and Aiken hold Ph.D.'s in Industrial and Organizational Psychology. The three surveyed and collected performance data on over 500 lawyers as part of research to help attorneys operate at peak performance. Their book, which details their full study and findings on what makes lawyers happy, healthy, and successful, will be published by the ABA in the fall. As part of the study, they asked attorneys how often they suffered from minor ailments such as colds and headaches. They found that certain personality traits — what the researchers call passive, dependent, and self-limiting — can in fact predict physical well-being.

Lawyers with more passive personalities are people who let their careers happen to them. They seldom take the initiative to succeed, and they don't take steps to improve their careers. They aren't proactive in their career development. Attorneys

Research Methodology

Over a six year-period, Berman, Bock, and Aiken surveyed, interviewed, and collected performance and promotion data on more than 500 lawyers from Am Law 200 firms. To look at lawyer success holistically, they asked lawyers —

- whether they are flourishing at work (their level of satisfaction with their career progressions, jobs, and developmental opportunities)
- how quickly they were promoted
- how often they got minor ailments such as colds and headaches

The results on health presented here are based on responses from 249 lawyers to a 76-item survey focused on skills, attitudes, and behaviors. The questions centered on attorney mindset and philosophy, how they work and collaborate with others, and how they manage their work environment and results. While the question about health was simple, the other survey dimensions (each based on multiple items) that were statistically related to this item told an interesting story. This article shares these statistically significant findings related to health.

To learn more about these and other findings, look for the book by Berman, Bock, and Aiken due to be published by the ABA this fall.

with these traits are more likely to suffer from minor physical ailments. But attorneys who are more optimistic and active in managing their careers report getting sick less often than those who report being pessimistic and passive.

Berman, Bock, and Aiken found that the passive group is more likely to have a weak locus of control — with “locus of control” meaning the degree to which people believe they can control the events and outcomes that affect their lives — and to be more pessimistic in general, not just about their career paths. They also like to avoid conflict. Sir Michael Marmot, Professor of Epidemiology and Public Health at University College, London, explains that “autonomy, control, empowerment [are] a crucial influence on health and disease. People who are disempowered, people who don’t have autonomy, people who have little control

over their lives are at increased risk of heart disease, increased risk of mental illness, increased risk of absence from work, and increased risk of decrements in functioning” (See transcript of California News Reel, 2008, [“Unnatural Causes ... Is Inequality Making Us Sick?”](#) broadcast on PBS.) Marmot’s words are revealing. If you feel disempowered, you’re more likely to get sick, which means you don’t function as well — and none of these qualities is suitable for success in a law firm.

According to the three researchers, lawyers who believe that they have little control over their career trajectory also get sick more frequently. They aren’t in control of their own fate. This is a problem for attorneys who want to become partner: active strategic investment in one’s career is important and it’s difficult to take too active a role if you’re sick. In their study, Bock,

Berman, and Aiken found that 46% of the healthier attorneys felt a sense of control over their lives, while only 28% of those who reported getting sick often felt the same sense of control.

A weak locus of control often leads to disempowerment. It's a domino effect: when you feel that your actions at work don't matter and your actions aren't advancing your career, you might not work as hard to achieve your goals. What's the point, anyway? You may not network as much at public functions, you may not take advantage of educational opportunities to expand your knowledge, or you may not put in the time needed to polish that brief to perfection. When you don't do these things, your work performance suffers. This leads to a greater feeling of disempowerment. And if your firm-wide reputation suffers, colleagues may not call on you for work — which only disempowers you further.

This feeling of helplessness makes us feel run down, depressed, and even stressed. And stress can actually lower our physiological defenses to illness. According to Marmot, our body sees stress as a threat. It responds with cortisol, commonly known as the “stress hormone.” Cortisol regulates many of the changes in the body that occur when we're faced with a threat — everything from regulating blood pressure to breathing to central nervous system activation. Too much cortisol over a prolonged period due to chronic stress, though, can lead to lowered immune function.

Stress is one of the enemies of workplace productivity. It attacks the immune system, making it more likely that you'll have to stay home sick. Prolonged stress can put you at a greater risk for clinical depression. According to John Medina, author of *Brain Rules*, “Fluid intelligence, problem solving abilities (including quantitative reasoning) and memory formation are deeply affected by depression. The result is an erosion of innovation and creativity” (187). Medina argues that workplace stress occurs when two things happen: too much is expected of you, and you have no control over whether you will perform well. It's a perfect recipe for learned helplessness.

But empowerment and self-control won't make you healthy by themselves. A flourishing attorney sees personal and professional growth as never-ending, so she also has to seek out learning opportunities that will improve her job skills. She enjoys difficult tasks and likes to learn just for the sake of learning. She is both curious and determined. So it may come as no surprise that Berman, Bock, and Aiken also found that attorneys with “self-limiting” personalities are more likely to get sick. These people are naturally more pessimistic and likely to avoid challenging themselves: 68% of the healthier attorneys in their study preferred tasks that challenge them over tasks they know they can accomplish. By contrast, only 47% of the less healthy lawyers felt the same way.

It's a one-two punch: lawyers with these passive and negative traits keep themselves from reaching their potential as both attorneys and as healthy people.

A pessimistic outlook inhabits the minds of lawyers who suffer from colds and headaches. They feel beaten down, both emotionally and physically. Because of this lack of optimism, these attorneys often don't put themselves in positions to succeed by finding ways to improve their skills. They are also less likely to address conflict head on: the three researchers found that 19% of the unhealthiest lawyers were strong conflict avoiders — three times as many as among the healthiest lawyers. It's a one-two punch: lawyers with these passive and negative traits keep themselves from reaching their potential as both attorneys and as healthy people. When they focus on the existence of obstacles in their lives rather than on overcoming these obstacles, they have a difficult time looking past these obstacles for solutions. In Bock, Berman, and Aiken's study, 47% of the unhealthiest lawyers reported that unpredictable or challenging situations made them feel apprehensive or less willing to overcome the challenges, compared to 22% of the healthiest lawyers. Because of this, they are likely to end up with more stress — and more illness.

From a practical perspective, it's easy to see how mindset and physical ailments are intertwined. An attorney who feels a cold approaching will take care of herself before it gets too serious. Rather than plowing ahead and putting in a 15-hour (or longer) day, she might telecommute from home to avoid wearing herself down. These steps might allow her to recover more quickly. But someone who doesn't take these steps will get sick, which impacts work performance. This subpar performance at work could result in feelings of pessimism, stress, and helplessness — all factors that Bock, Berman, and Aiken say increase the chance of illness. It's an endless feedback loop.

How do you change your outlook, then? It starts with the way you interpret events. Don't see obstacles as permanent. Instead, see them as temporary roadblocks to hurdle. For example, an attorney who gets bad feedback on a recent writing assignment shouldn't say, "I'm a bad lawyer because I can't write." This statement broadly generalizes about the attorney's personality traits and work habits. It places blame on the person. Instead, this attorney should say, "I could have done better on that motion. I'm going to review the feedback and rethink my approach to my legal analysis." This frames the performance as a one-time event, not a greater reflection on the person.

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Berman, Bock, and Aiken also found that attorneys who frequently get sick are more likely to rely on others for their self-worth, rather than on an internal gauge. They depend on others' perceptions and validations. Doing something well doesn't count unless someone else knows about it. In their study, only 19% of the healthiest lawyers said that they usually need others for validation, while 28% of the least healthy lawyers felt that way. So those who feel good about their accomplishments only through external validation stress over not only whether they did a good

job, but also whether others saw that they did a good job. And that stress, again, makes them more susceptible to illness.

Micromanagement is another external event that can inhibit performance. The stress of someone always looking over your shoulder is more likely to make you sick. This micromanagement breeds pessimism — creating such internal messages as: "My supervisor constantly looks over my shoulder because I cannot complete the task independently. It's clear that I am not up to the task and that she has little confidence in my abilities." This is more learned helplessness. It may be that the pessimism was there before the task started, and the supervisor was only trying to nudge the attorney along. Of course, sometimes the attorney's mindset may be irrelevant to the boss's behavior if the boss micromanages everyone. But the boss might back off a bit if shown that an attorney can complete the task, even in small increments.

The link between mindset and illness is clear. It's a vicious cycle. If you're sick, you can't be productive. And if you aren't productive, you're going to stress. And if you stress, then you might get even sicker or stay sick longer — which further diminishes your workplace performance and exacerbates all of the feelings above.

An active, engaged, and optimistic view of the workplace is the first step to being healthy and to flourishing there. The second step is not metaphorical but literal: exercise. A growing body of research now indicates that a single workout can immediately boost higher-order thinking skills, making attorneys more productive and efficient as they slog through their workday. When you exercise your legs, you also exercise your brain; this means that a lunchtime workout can improve cognitive performance, thanks to blood flow and brain food.

Attorneys who spend most of their day at a desk know that familiar and dreaded feeling: the midafternoon slump. Emails take a bit longer to compose; documents take longer to read. It's expected, given that they spend most of their time in a chair.

To combat mental fatigue, they often reach for artificial stimulation in the form of caffeine, sugar, or energy drinks. But all they really need to sharpen mental acuity is something they already own: their legs.

This should come as little surprise. Mental fatigue sets in after an extended period of sitting, and walking around is an easy way to temporarily increase alertness. But a few types of extended physical activity can have measurable impact on mental acuity, thanks to brain-derived neurotrophic factor, or BDNF. A protein, BDNF facilitates the growth of neurons and nourishes existing ones. It improves executive function, a type of higher-order thinking that allows people to formulate arguments, develop strategies, creatively solve problems, and synthesize information. BDNF sits idly at the synapses of brain neurons and crosses the synapses only with the increased blood flow that comes with exercise.

Fortunately, running ten miles is not necessary to boost executive function. Several studies have shown that a short aerobic workout gives the brain an immediate boost. According to Charles Hillman, professor of kinesiology and community health at the University of Illinois, as little as 20 minutes of aerobic exercise at 60% to 70% of maximum heart rate is enough. And the choice of exercise also makes a difference. A calm mind is key. The less attention paid to external stimuli — like a book or the environment — the greater the benefit later, because any activity that requires extended concentration involves the same higher-order thinking skills that attorneys need after the run. In other words, the more rested the mind during exercise, the better the post-workout problem-solving skills.

The concept of the calm mind is why attorneys might not even need to elevate their heart rate to reap the benefits. They just need to head for the hills, or at least the trail, and get away from the concrete jungle. According to a 2008 study from the University of Michigan, nature stokes creativity and strengthens cognitive powers better than urban environments. This is the idea behind Attention Restoration Theory, which

Key Takeaways from the Research

Lawyers who are sick more often with colds and headaches are also —

- Less concerned with continual growth
 - » Less learning oriented
 - » Less likely to enjoy difficult tasks
- More pessimistic
- More dependent on others for their self-image
 - » Likely to need others to see them as smart
 - » Less likely to set clear boundaries
- Less direct with conflict
- Less masters of their own fate
 - » Less strategic in their career investment
 - » Likely to feel less in control
- Less likely to feel that they are flourishing in their career (that is, they are less satisfied with their career progressions, jobs, and developmental opportunities)

Note: These findings build on prior research that shows causality between similar attitudes and behaviors in this realm of research. However, the research described in this article only looks at data at one point in time. Therefore, it cannot definitively prove causality.

posits that a strong mind always needs time to be refreshed. In an urban environment, the mind is never at ease. You have to pay attention to all sorts of external stimuli, such as cars in crosswalks and people on sidewalks. It's survival mode. What's needed is a workout that involves involuntary attention. This type of attention requires no extra work on the brain's part. You use it when you notice natural beauty as you run through the park. It doesn't take any extra effort to notice the pretty things; you just do it.

According to the researchers at the University of Michigan, natural environments are much better than urban environments at restoring and improving cognitive functioning. A natural environment gives the directed-attention part of the brain some vacation time, allowing it to replenish. “Simple and brief interactions with nature can produce marked increase in cognitive control,” according to the researchers. The best part? The participants in the study were walkers, not runners.

For most attorneys, walking is a more practical option during the workday. But what if walking or running aren’t even possible? No problem. Attorneys can be flexible in their workout routine. Literally. Yoga may also improve cognitive functioning, according to a recent study. One of the authors, Neha Gothe, an assistant professor of education at Wayne State University, said that when you practice yoga, you’re not only moving, you’re in touch with your body movements. “This awareness might be the reason why you keep distracting parts away and focus on the task at hand,” she says. So while yoga involves focus, it’s a different kind: It requires a mind-body connection, not a connection to external stimuli. In this way, yoga allows the mind time to rest by keeping external thoughts like workplace stress at bay. No matter the workout, most researchers agree that the cognitive benefits last for at least an hour after exercise.

Our minds and bodies do not operate in a vacuum. When we strengthen one, we usually strengthen the other. And when we’re physically healthy, we’re usually happy, which can help us flourish in our careers and make us more productive. Unfortunately, it works the other way too: a disengaged and pessimistic view of the workplace can break us down physically. And when we’re broken down, it’s difficult to do our jobs well. A healthy outlook is just as important as a healthy body — perhaps all the more so to attorneys working in fast-paced, competitive environments, as the recent study by Bock, Berman, and Aiken confirms.

About the Author



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