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## Practicing on Purpose: Promoting Personal Wellness and Professional Values in Legal Education

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**PRACTICING ON PURPOSE: PROMOTING PERSONAL  
WELLNESS AND PROFESSIONAL VALUES IN LEGAL  
EDUCATION**

*Gretchen Duhaime\**

I will not die an unlived life.  
I will not live in fear  
of falling or catching fire.  
I choose to inhabit my days,  
to allow my living to open me,  
to make me less afraid,  
more accessible,  
to loosen my heart  
until it becomes a wing,  
a torch, a promise.  
I choose to risk my significance,  
to live so that which came to me as seed  
goes to the next as blossom,  
and that which came to me as blossom,  
goes on as fruit.<sup>1</sup>

**I. INTRODUCTION**

Here is a riddle for you: why did the student go to law school?  
To become a lawyer.  
This may sound like the familiar why-did-the-chicken-cross-

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<sup>1</sup> DAWNA MARKOVA, I WILL NOT DIE AN UNLIVED LIFE: RECLAIMING PURPOSE AND PASSION 1 (2000). Markova speaks of her desire to make ripples of good feelings to make the world a better place, and how this poem helped her to do so. *See id.* at 5, 8. May this paper be one of those ripples.

the-road riddle, with an equally obvious, tautological answer. It doesn't address why the student wanted to become a lawyer, just as the original riddle doesn't answer why the chicken wanted to get to the other side. Did the student want to change the world? To become an advocate for those with no voice? To ensure a solvent future? Did the student really understand what it meant to be a lawyer, 24 hours per day, 365 days per year?

This paper explores the role of law schools in preparing graduates not only for the practice of law, but also for life as a lawyer. The vision is to provide a comprehensive wellness-based program, using a systems-thinking lens that will help students live ethical lives with meaning and purpose. Through the program, titled *Practicing on Purpose*, students keep reflective journals to explore their perceptions of lawyering, and to develop their own wellness.

The Background section creates the supports of the *Practicing on Purpose* program: law school pedagogy, systems thinking, and wellness models. The section begins with a survey of law school pedagogy, as initially developed in the 1870s and continuing to the recent blue-ribbon reports. These reports identify a lack of values-based teaching which has contributed to a mounting crisis of ethics in the profession. Next, a primer on systems thinking and the learning organization explains how mental models influence actions. By looking below the surface to find the structures that are driving behavior, individuals can make small changes with large impact. The final Background section analyzes four different wellness models and combines their concepts to create the seven Purposes of the *Practicing on Purpose* Wellness Model: reflective, higher, inner, relational, external, analytical, and physical.

The Vision section places each of the Purposes in context of legal education. Traditional pedagogy can compromise wellness in every dimension, so law schools must create awareness of the Purposes and the hazards to their development. Wellness forms the foundation upon which law schools can layer appropriate professional values, as advocated by the Best Practices and Carnegie reports.

The Solution section details the *Practicing on Purpose* program. In the program, law schools incorporate reflective journaling into the legal skills/lawyering and professional responsibility courses. The goal of the program is to guide students' inquiry to deepen self-awareness and help them develop their own personal codes of con-

duct. Through this examination, students learn and define the type of lawyers, and people, they wish to become, and create a compass to follow their paths.

## II. BACKGROUND

### A. Law School Pedagogy

Law school's signature pedagogy developed between 1870 and 1883, spanning the same years as the construction of the Brooklyn Bridge.<sup>2</sup> As majestic towers arched over the East River connecting Manhattan and Brooklyn, at Harvard Law School, Christopher Columbus Langdell, the school's first dean, bridged skills-based learning and classroom instruction by introducing the Socratic/case method of teaching doctrinal courses.<sup>3</sup> Although both the Brooklyn Bridge and the Socratic/case method have undergone superficial changes in the past 125 years, they remain standing as functional monuments to industrial-age America.<sup>4</sup>

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<sup>2</sup> See ROBERT B. STEVENS, *LAW SCHOOL: LEGAL EDUCATION IN AMERICA FROM THE 1850S TO THE 1980S* 36 (1983) (presenting Langdell's revolutionary changes at Harvard Law School); WILLIAM M. SULLIVAN ET AL., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* 23-24 (2007) (relaying "signature pedagogy" of law school); John O. Sonsteng et al., *A Legal Education Renaissance: A Practical Approach for the Twenty-First Century*, 34 WM. MITCHELL L. REV. 303, 324 (2007) (recounting Langdell's reform at Harvard Law School); see also N.Y. City Dep't of Transp., *Bridges: Rebuilding the Bridge*, NYC.gov, [http://www.nyc.gov/html/dot/html/bridges/brooklyn\\_bridge.shtml](http://www.nyc.gov/html/dot/html/bridges/brooklyn_bridge.shtml) (last visited Mar. 18, 2012) (providing Brooklyn Bridge history timeline).

<sup>3</sup> See STEVENS, *supra* note 2, at 52-56 (describing the introduction and development of the Socratic/case method at Harvard Law School); Sonsteng et al., *supra* note 2, at 324-25 (reciting Langdell's use of Socratic dialogue in conjunction with the case method). Law schools initially developed as an adjunct to apprenticeship, either as proprietary law schools or part of universities. See Sonsteng et al., *supra* note 2, at 322-23. Proprietary law schools provided skills-based training, while universities focused on the theory, history and philosophy of law. See *id.* at 323.

<sup>4</sup> See STEVENS, *supra* note 2, at 92 (positing legal movement part of industrialization of late nineteenth century); ROY STUCKEY ET AL., *BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROAD MAP* 207-25 (2007), available at <http://cleaweb.org> (then follow "Best Practices for Legal Education by Roy Stuckey" hyperlink) (explaining Socratic dialogue and case method and their limited appropriate use); Sonsteng et al., *supra* note 2, at 323 (noting the Industrial Revolution spurred legal needs prompting Langdell's reforms); Ass'n of Am. L. Sch., *Overview of Curricular Innovation/Survey*, AALS, [http://www.aals.org/services\\_curriculum\\_committee.php](http://www.aals.org/services_curriculum_committee.php) (last visited Mar. 18, 2012) (stating that "[l]egal education has not been re-conceptualized since it was incorporated into the university over one hundred and twenty years ago").

Despite intermittent pleas for reform, especially as student diversity began to improve in the 1960s, the American Bar Association (“ABA”) did not succeed in stimulating large scale changes in legal education until the publication of the 1992 MacCrate report.<sup>5</sup> The report issued from a task force assigned to investigate how best to “narrow the gap” between legal education and the profession.<sup>6</sup> Since publication of the MacCrate report, law schools have attempted to ensure students possess the competencies canonized in the MacCrate Report by offering skills-based electives and clinical programs.<sup>7</sup>

With the necessary core competencies of law school graduates identified, educational reformers began to search for best practices for teaching.<sup>8</sup> In 2007, two watershed treatises emerged: the Carnegie Foundation’s *Educating Lawyers: Preparation for the Profession of Law*,<sup>9</sup> (hereinafter “Carnegie Report”) and the Clinical Legal Education Association’s *Best Practices for Legal Education: A Vision*

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<sup>5</sup> See SULLIVAN ET AL., *supra* note 2, at 91-93 (observing several studies from 1921-80s “failed to change standard pattern of law school education”). See generally AM. BAR ASS’N, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—AN EDUCATIONAL CONTINUUM: REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP (1992), available at <http://www.abanet.org/legaled/publications/onlinepubs/maccrate.html> [hereinafter MACCRATE REPORT].

<sup>6</sup> MACCRATE REPORT, *supra* note 5, at 3. The task force took issue with the concept of a “gap” between schools and the “profession” and promoted the view of a single profession comprised of education and practicing bar by naming the report *An Educational Continuum*. See *id.*

<sup>7</sup> See STUCKEY ET AL., *supra* note 4, at 16 (recounting the 1996 accreditation changes prompted by the MacCrate report); SULLIVAN ET AL., *supra* note 2, at 173-74 (noting the MacCrate canonization of skills and subsequent law school attention to skills); Gary Bauer, *Addressing the Needs of Solo/Small Firm Practitioners Through Law School Based Programs to Reduce Stress in Practice—Several Approaches*, 6 T.M. COOLEY J. PRAC. & CLINICAL L. 1, 23 (2003) (reporting Cooley Law School’s founding with MacCrate principles in mind); Pearl Goldman & Leslie Larkin Cooney, *Beyond Core Skills and Values: Integrating Therapeutic Jurisprudence and Preventive Law into the Law School Curriculum*, 5 PSYCHOL. PUB. POL’Y & L. 1123, 1130 (1999) (stating many law schools initiated curriculum improvement pursuant to the MacCrate Report recommendations); Michael Meltsner, *Writing, Reflecting and Professionalism*, 5 CLINICAL L. REV. 455, 458 (1999) (noting MacCrate skills prompted professor to develop “Perspectives in Lawyering” class); Anthony S. Niedwiecki, *Lawyers and Learning: A Metacognitive Approach to Legal Education*, 13 WIDENER L. REV. 33, 37 (2006) (remarking on the law school change in focus to include “MacCrate skills”); cf. Sonsteng et al., *supra* note 2, at 368-69 (allowing schools acknowledge validity of the MacCrate report but asserting no changes adopted).

<sup>8</sup> STUCKEY ET AL., *supra* note 4, at viii (referencing the MacCrate report background to CLEA’s Best Practices study); SULLIVAN ET AL., *supra* note 2, at 15-18 (explaining the Carnegie Foundation’s process developing *Educating Lawyers*).

<sup>9</sup> *Supra* note 2.

and a Road Map<sup>10</sup> (hereinafter “Best Practices”). According to the Carnegie Report, the goal of professional education is “to initiate novice practitioners to think, to perform, and to conduct themselves (that is, to act morally and ethically) like professionals,” and Best Practices quotes this language supporting its assertion that law schools should expand their educational goals.<sup>11</sup> Both reports bring learning theory to mainstream thinking on legal pedagogy.<sup>12</sup> The Carnegie Report points to learning theory as support for its general framework of law school as apprenticeship: the expert models behavior for the novice, who imitates it, then the expert gives feedback on the novice’s performance.<sup>13</sup> Looking at the goals of professional school—thinking, performing, and acting like a lawyer—the report breaks down the law school experience into three apprenticeships:

The first apprenticeship, which we call intellectual or cognitive, focuses the student on the knowledge and way of thinking of the profession.

The . . . second apprenticeship is to the forms of expert practice shared by competent practitioners.

The third apprenticeship, which we call the apprenticeship of identity and purpose, introduces students to the purposes and attitudes that are guided by the values for which the professional community is re-

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<sup>10</sup> *Supra* note 4; see Clinical Legal Educ. Ass’n, *Mission Statement*, CLEAWEB, <http://cleaweb.org/mission> (last visited Mar. 18, 2012). CLEA supports clinical education as fundamental to legal education. See *id.*

<sup>11</sup> SULLIVAN ET AL., *supra* note 2, at 22; see STUCKEY ET AL., *supra* note 4, at 19.

<sup>12</sup> See STUCKEY ET AL., *supra* note 4, at 43 (utilizing educational theory to support outcomes-based goals); SULLIVAN ET AL., *supra* note 2, at 25-27 (revitalizing professional apprenticeships in context of learning theory). In contrast, the MacCrate report makes no mention of learning theory. See generally MACCRATE REPORT, *supra* note 5. Legal scholars have advocated improving law school pedagogy using learning theory, especially in criticism to the Socratic/case method. See generally Filippa Marullo Anzalone, *It All Begins with You: Improving Law School Learning through Professional Self-Awareness and Critical Reflection*, 24 HAMLIN L. REV. 324 (2001) (directing applied learning methodology to law professor enrichment); Niedwiecki, *supra* note 7 (applying learning theory of metacognition to learning law); Michael Hunter Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design Can Inform and Reform Law Teaching*, 38 SAN DIEGO L. REV. 347 (2001) (advocating use of learning theories in legal education reform); Sonsteng et al., *supra* note 2 (promoting adoption of multiple teaching styles pursuant to learning theory).

<sup>13</sup> See SULLIVAN ET AL., *supra* note 2, at 26 (explaining apprenticeship from a learning theory viewpoint).

sponsible.<sup>14</sup>

Similarly, Best Practices cites educational theory in its assertion that educational goals should focus on outcomes, composed of knowledge, skills, and values.<sup>15</sup>

Of the three apprenticeships/components of law school, values are the most difficult to teach with the Socratic/case method.<sup>16</sup> Although students no longer need to absorb concepts of professional responsibility from doctrinal classes, courses dedicated to legal ethics still fall short of helping students understand either their own values or those expected from the practicing bar.<sup>17</sup> Furthermore, some legal scholars fault the law school environment itself as eroding students' personal values.<sup>18</sup> Regardless, based on the findings of the Carnegie

<sup>14</sup> *Id.* at 28.

<sup>15</sup> See STUCKEY ET AL., *supra* note 4, at 43 (explaining the rationale for outcomes-based goals).

<sup>16</sup> See, e.g., John E. Montgomery, *Incorporating Emotional Intelligence Concepts into Legal Education: Strengthening the Professionalism of Law Students*, 39 U. TOL. L. REV. 323, 324-25 (2008) (noting professionalism is not valued by the Socratic/case method); Schwartz, *supra* note 12, at 352 (observing values taught tacitly in the Socratic/case method); Marjorie A. Silver, *Emotional Intelligence and Legal Education*, 5 PSYCHOL. PUB. POL'Y & L. 1173, 1192-93 (1999) (reciting psychologist Andrew Watson's observations of the Socratic/case method's alienation from interpersonal law practice); Sonsteng et al., *supra* note 2, at 337 (relaying the Socratic/case method's destruction of ideological values). *But see* Susan Daicoff, *Lawyer, Know Thyself: A Review of Empirical Research on Attorney Attributes Bearing on Professionalism*, 46 AM. U. L. REV. 1337, 1409 (1997) (claiming no moral impact from law school for most students).

<sup>17</sup> See, e.g., John M. Conley, *How Bad Is It Out There?: Teaching and Learning About the State of the Legal Profession in North Carolina*, 82 N.C. L. REV. 1943, 1944 (2004) (questioning many law schools Professional Responsibility courses focusing on ABA's Model Rules of Professional Conduct); Barbara Glesner Fines, *Fundamental Principles and Challenges of Humanizing Legal Education*, 47 WASHBURN L.J. 313, 320-21 (2008) (lamenting law school reforms' failure to help students develop personal values); Sonsteng et al., *supra* note 2, at 331 (noting the post-Watergate ABA graduation requirement of Professional Responsibility courses). See generally SULLIVAN ET AL., *supra* note 2, at ch. 4 (providing a history of professional responsibility teaching and recommendations for improvement); John Mixon & Robert P. Schuwerk, *The Personal Dimension of Professional Responsibility*, L. AND CONTEMP. PROBLEMS, Autumn 1995 at 87 (detailing the genesis of an experimental professional responsibility course focused on personal values).

<sup>18</sup> See, e.g., Daicoff, *supra* note 16, at 1385-89 (examining law student changes in attitude and personality traits); Rebecca Flanagan, *Lucifer Goes to Law School: Towards Explaining and Minimizing Law Student Peer-to-Peer Harassment and Intimidation*, 47 WASHBURN L.J. 453, 460 (2008) (crediting learning to "think like a lawyer" with dehumanizing students); Daisy Hurst Floyd, *Lost Opportunity: Legal Education and the Development of Professional Identity*, 30 HAMLIN L. REV. 555, 557-58 (noting law school devalues students' personal values); B.A. Glesner, *Fear and Loathing in the Law Schools*, 23 CONN. L. REV. 627, 638 (1991) (citing law school stress as interfering with developing integrity); Lawrence S. Krieg-

Report and Best Practices, law schools need to find ways to aid students in effectively developing and internalizing appropriate values for the practice of law.<sup>19</sup>

Legal educators have established initiatives to humanize legal education, hoping that raising student well-being will, among other things, increase professionalism in the bar.<sup>20</sup> The humanizing law school movement is organized as the Association of American Law Schools (“AALS”) Section on Balance in Legal Education (“Section”).<sup>21</sup> The Section’s perspective resonates with the findings of the Carnegie Report and Best Practices, as summarized by its then-chair Michael Hunter Schwartz:

The Carnegie and Best Practices studies continue to reverberate throughout the legal academy, and quite a bit of what we hear sounds a lot like a humanizer’s wish list of things the legal academy needs to think about: (1) we need to find ways to help students find connections between the legal reasoning skills they are

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er, *Human Nature as a New Guiding Philosophy for Legal Education and the Profession*, 47 WASHBURN L.J. 247, 265-66 (reciting a linguistic study found law school encourages an amoral worldview); see also G. Andrew H. Benjamin et al., *The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers*, AM. B. FOUND. RES. J. 1986 at 225 (finding law student psychological distress increases between first and third year); Kennon M. Sheldon & Lawrence S. Krieger, *Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being*, 22 BEHAV. SCI. & L. 261, 280-81 (2004) (showing students shifted from intrinsic to external values during the first year of law school). But see James J. White, *Maiming the Cubs*, 32 OHIO N.U. L. REV. 287, 298-99 (critiquing Sheldon-Krieger studies).

<sup>19</sup> See *supra* notes 4-5 and accompanying text. This need will become even more urgent as the ABA Special Committee on Outcome Measures continues its work on developing outcome-based accreditation standards. See generally Catherine L. Carpenter et al., *Interim Report of the Outcome Measures Committee*, 3 SEC. LEGAL EDUC. & ADMISSIONS BAR 1 (2008), available at <http://www.abanet.org/legaled/committees/subcomm/Outcome%20Measures%20Final%20Report.pdf> (recommending a shift toward outcome-based accreditation standards).

<sup>20</sup> See Florida State University, *AALS Section on Balance in Legal Education: Frequently Asked Questions*, LAW.FSU, [http://www.law.fsu.edu/academic\\_programs/humanizing\\_law\\_school/faq.html](http://www.law.fsu.edu/academic_programs/humanizing_law_school/faq.html) (last visited Mar. 21, 2012) (providing background of humanizing movement and its relation to professionalism).

<sup>21</sup> See Ass’n of Am. Law Schs., *Section on Balance in Legal Education*, [https://memberaccess.aals.org/eWeb/dynamicpage.aspx?webcode=ChpDetail&chp\\_cst\\_key=9fb324e8-e515-4fd3-b6db-a1723feeb799](https://memberaccess.aals.org/eWeb/dynamicpage.aspx?webcode=ChpDetail&chp_cst_key=9fb324e8-e515-4fd3-b6db-a1723feeb799) (last visited Mar. 21, 2012). In August, 2009, the Association of American Law Schools (“AALS”) granted permanent status to the Section on Balance in Legal Education. See Bruce Winick, *AALS Approves Permanent Section Status for Balance in Legal Education*, <http://cuttingedge.law.com/newsfeed/aals-approves-permanent-section-status-balance-legal-education> (last visited Mar. 21, 2012).



learning and their values; (2) law schools should do a better job inculcating professional values, such as service to the community and professionalism; (3) we need to recognize that traditional, Socratic-style law teaching has unintended but nevertheless real negative effects on students; (4) law schools' harsh grading curves promote competition and anti-communitarian values; and (5) law schools that find ways to support students' sense of autonomy tend to have fewer problems with student substance abuse, depression and anxiety.<sup>22</sup>

Although the Section succeeds in bringing awareness and resources to law schools and professors, critics note risks in presenting the issue in a narrow form that (understandably) promotes changes at the individual level rather than the system level.<sup>23</sup> Law students need to understand how different forces act on each other to create this enduring

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<sup>22</sup> Michael Hunter Schwartz, *Greetings From the Chair*, EQUIPOISE (AALS Section on Balance in Legal Education) Nov. 2008 at 1, available at [http://www.law.fsu.edu/academic\\_programs/humanizing\\_lawschool/pdf/Equipoise\\_Nov\\_08\\_HR.pdf](http://www.law.fsu.edu/academic_programs/humanizing_lawschool/pdf/Equipoise_Nov_08_HR.pdf). In 2007, Washburn University School of Law hosted a symposium on Humanizing Legal Education. See Symposium, *Humanizing Legal Education*, 47 WASHBURN L.J. 235 (2008). The *Washburn Law Journal* published a symposium issue, including articles from Michael Hunter Schwartz (*Humanizing Legal Education: An Introduction to a Symposium Whose Time Came*, 47 WASHBURN L.J. 235 (2008)), Barbara Glesner Fines (*supra* note 17), Lawrence S. Krieger (*supra* note 18), Susan Grover (*Personal Integration and Outsider Status as Factors in Law Student Well-Being*, 47 WASHBURN L.J. 419 (2008)), Rebecca Flanagan (*supra* note 18), Paula Lustbader (*You Are Not in Kansas Anymore: Orientation Programs Can Help Students Fly over the Rainbow*, 47 WASHBURN L.J. 327 (2008)), Justine Dunlap (*"I'd Just as Soon Flunk You as Look at You?" The Evolution to Humanizing in a Large Classroom*, 47 WASHBURN L.J. 389 (2008)), and Gerald Hess (*Collaborative Course Design: Not My Course, Not Their Course, But Our Course*, 47 WASHBURN L.J. 367 (2008)). In his article, Lawrence Krieger defines "humanizing" based on his decades of psychological research: "[Humanizing] centers on the promotion of growth, maturation, and well-being through the provision of autonomy support, satisfaction of basic needs for autonomy, authenticity, competence and relatedness to others, and the encouragement of internal motivations and *intrinsic, intra- and interpersonal values*." Krieger, *supra* note 18, at 270 (emphasis added). Barbara Glesner Fines offers: "Proponents of humanization are concerned that students develop themselves as confident, caring, reflective professionals, *discerning their own values* and purposes, and knowing how to work with others collaboratively and to understand diverse perspectives." Glesner Fines, *supra* note 7, at 320 (emphasis added).

<sup>23</sup> See *Eight Ideas for Humanizing the Law School Classroom*, EQUIPOISE (AALS Section on Balance in Legal Education) Nov. 2008, at 7 (Maureen Fitzgerald's cmt.), available at [http://www.law.fsu.edu/academic\\_programs/humanizing\\_lawschool/pdf/Equipoise\\_Nov\\_08\\_HR.pdf](http://www.law.fsu.edu/academic_programs/humanizing_lawschool/pdf/Equipoise_Nov_08_HR.pdf).

status quo of teaching law with the Socratic/case method.<sup>24</sup> Systems thinking methodology provides useful tools for visualizing how such forces interact and how to make individual changes that have the biggest impact on the whole system.

### B. Systems Thinking and Learning Organizations

The discipline of systems thinking treats issues and goals as part of a larger structure, rather than freestanding entities.<sup>25</sup> Picture this as an iceberg: the tip of the iceberg is immediate events; looking a little below the surface the patterns and trends of recent history emerge; sinking deeper the influences of systemic structures appear, and even deeper, the underlying mental models supporting the situation.<sup>26</sup> The iceberg is a useful tool, but systems thinking requires breaking free of linear associations, because “[r]eality is made up of circles but we see straight lines.”<sup>27</sup> Causal loop diagrams depict these

<sup>24</sup> See *supra* note 4.

<sup>25</sup> See PETER SENGE ET AL., *SCHOOLS THAT LEARN: A FIFTH DISCIPLINE FIELDBOOK FOR EDUCATORS, PARENTS, AND EVERYONE WHO CARES ABOUT EDUCATION* 78 (2000) [hereinafter *SCHOOLS THAT LEARN*] (introducing the concept of systems thinking in the educational context). Systems thinking is one of the learning disciplines developed by Senge and detailed in his management classic, PETER M. SENGE, *THE FIFTH DISCIPLINE: THE ART & PRACTICE OF THE LEARNING ORGANIZATION* (Currency Doubleday 1994) [hereinafter *FIFTH DISCIPLINE*]. The other disciplines are Personal Mastery, Mental Models, Building Shared Vision, and Team Learning. See *FIFTH DISCIPLINE, supra*, at 7-10. Personal Mastery is similar to the Higher Purpose of Practicing on Purpose, in that it involves “living our lives in the service of our highest aspirations.” *Id.* at 8. Mental Models are our ingrained, subconscious worldviews, and effective learning requires looking inward to uncover them. See *id.* at 8-9. Building Shared Vision unearths a set of principles and guiding practices to which individuals can collectively commit. See *id.* at 9. Team Learning explains that the whole is greater than the sum of its parts and teaches groups how to engage in “dialogue” or “thinking together.” See *id.* at 9-10.

<sup>26</sup> See *SCHOOLS THAT LEARN, supra* note 25, at 80 (presenting iceberg analogy to practicing systems thinking). The iceberg is a way to explain reality and presents four questions to prompt the shift from perceiving events to connecting them. See *id.* The questions are as follows:

EVENTS: What just happened?

PATTERNS/TRENDS: What’s been happening? Have we been here or some place similar before?

SYSTEMIC STRUCTURES: What are the forces at play contributing to these patterns?

MENTAL MODELS: What about our thinking allows this situation to persist?

*Id.*

<sup>27</sup> *FIFTH DISCIPLINE, supra* note 25, at 73.

circles of reality and help learners envision the interrelatedness of events rather than seeing a linear timeline.<sup>28</sup>

Learning organizations are groups that achieve continuous improvement by examining the status quo, seeing the unstated assumptions supporting it, and making changes.<sup>29</sup> Educators have applied systems thinking methodologies to make schools into learning organizations.<sup>30</sup> One of the discovered key principles of their success is that change starts small and grows organically.<sup>31</sup> This understanding of change moving through an organization, such as a school, as if it were a living system and not a machine, is an inversion of Industrial-age logic upon which much of law school pedagogy rests.<sup>32</sup>

Individual change begins with understanding the mental mod-

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<sup>28</sup> See *id.* at 73-74; SCHOOLS THAT LEARN, *supra* note 25, at 87-88. For a primer on creating causal loop diagrams, see Daniel H. Kim, *Guidelines for Drawing Causal Loop Diagrams*, THE SYSTEMS THINKER, <http://thesystemsthinker.com/tstgdlines.html>. Other systems thinking tools include stock-and-flow diagrams, computer simulation models, and system archetypes. See SCHOOLS THAT LEARN, *supra* note 25, at 89-93. Different learning styles or contextual situations require using different tools as each has its own benefits and limitations. See Michael Goodman, *Pitfalls and Skills: Precepts for Building a Robust, Compassionate Systems Thinking Practice*, in SCHOOLS THAT LEARN, *supra* note 25, at 262-65.

<sup>29</sup> See FIFTH DISCIPLINE, *supra* note 25, at 6.

<sup>30</sup> See generally SCHOOLS THAT LEARN, *supra* note 25.

<sup>31</sup> See *id.* at 272-73 (describing the success of change initiatives in educational settings). The other principles for successful change are:

- Change starts small and grows organically.
- ....
- Pilot groups are the incubators for change.
- ....
- Significant change initiatives raise these two questions about the prevailing strategy and purpose of the organization: “Where are we going?” and “What are we here for?”
- ....
- Successful change takes place through multiple layers of leadership.
- ....
- Challenges are a natural part of organizational change.

*Id.*

<sup>32</sup> See *supra* note 4 and accompanying text (supporting law school as an Industrial-age institution); SCHOOLS THAT LEARN, *supra* note 25, at 52-54 (explaining concepts of living systems). The word “pedagogy” and the word “ethics” derive from the same Greek word, “*paideutike*,” meaning “the art of teaching the young.” See SCHOOLS THAT LEARN, *supra* note 25, at 207. In the Industrial Age, this “art” transformed to “science” as the worldview of analyzing parts to understand the whole became dominant. See *id.* at 29. The genesis of the Socratic/case method was Langdell’s belief that legal educators needed to treat law as a science, pedagogically. See STEVENS, *supra* note 2, at 92.

els at play deep below the surface of conscious thought.<sup>33</sup> Working with mental models is highly personal and requires developing the skill of reflection.<sup>34</sup> Through reflective practice, or becoming aware of mental models, individuals become lifelong learners able to “think on [their] feet” and “learn by doing.”<sup>35</sup> Reflection also uncovers dissonance between one’s values and behavior.<sup>36</sup>

Individual reflection develops personal mastery, a life-long discipline of seeking deep fulfillment.<sup>37</sup> Such a quest produces well-being described by Aristotle as “*eudaemonia*.”<sup>38</sup> Understanding one’s own personal vision illuminates the path to that which gives life meaning and purpose.<sup>39</sup> A personal vision requires an intrinsic,

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<sup>33</sup> See SCHOOLS THAT LEARN, *supra* note 25, at 67. Illuminating assumptions increases the ability to see another’s point of view; by questioning assumed facts and attitudes, other details become visible leading to other paths and possibilities. See *id.*

<sup>34</sup> See FIFTH DISCIPLINE, *supra* note 25, at 175-76 (describing developing skills to examine mental models).

<sup>35</sup> *Id.* at 176-77 (quoting DONALD A. SCHÖN, THE REFLECTIVE PRACTITIONER: HOW PROFESSIONALS THINK IN ACTION (1991)); see SCHOOLS THAT LEARN, *supra* note 25, at 68 (ascribing reflective skills with encouraging asking questions). The ladder of inference is a tool to illuminate the underlying thinking processes of mental models. See SCHOOLS THAT LEARN, *supra* note 25, at 68-71. Visualizing the ladder, on the ground are the objective data that can be observed, but moving to the first rung an individual selects data subjectively based on subconscious beliefs, leaving other, also relevant, data behind. See *id.* Taking a step to the next rung, an individual reads meanings onto the subjective data, and at the next rung, makes assumptions. See *id.* These assumptions lead to leaps of abstractions and sometimes incorrect conclusions about the situation. See *id.* Based on these conclusions, the individual steps to the next rung and adopts new beliefs, or reinforces old beliefs; finally, the individual takes action. See *id.*

<sup>36</sup> See FIFTH DISCIPLINE, *supra* note 25, at 177-78 (explaining espoused theory versus theory in use); Maureen Kessler, *Examine Your Work-Life Balance*, THE COMPLETE LAWYER Feb. 20, 2009, at 2, available at <http://www.thecompletelawyer.com/professional-development/examine-your-work-life-balance-2840.html> (then follow “PDF” hyperlink for paginated version) (advocating self-reflection to identify value/behavior inconsistencies). Professors are better able to teach and students better able to learn when aware of inner conflict. See Anzalone, *supra* note 12, at 339-44 (describing praxis from self-reflection on teaching beliefs); Lustbader, *supra* note 22, at 337 (stating that reflection helps students recalibrate goals with increased self-learning).

<sup>37</sup> See FIFTH DISCIPLINE, *supra* note 25, at 131-32 (defining personal mastery as a quest for continual learning).

<sup>38</sup> See Remus Ilies et al., *Authentic Leadership and Eudaemonic Well-Being: Understanding Leader-Follower Outcomes*, 16 LEADERSHIP Q. 373, 375 (2005) (introducing the concept of *eudaemonic* well-being). *Eudaemonia* also encompasses peak motivation and joy, or flow, and the realization of one’s true potential. See *id.*

<sup>39</sup> See FIFTH DISCIPLINE, *supra* note 25, at 136-37 (relating personal vision to purpose and meaning in life).

explicit description that encompasses all the facets of one's life.<sup>40</sup> The vision is only one half of personal mastery; the second half is grasping current reality and seeing the difference between "what you want and what you have."<sup>41</sup> The gap between the two produces creative tension, pulling one's reality toward one's ideal.<sup>42</sup> A personal vision is not static; it moves through and changes with individual choices and life circumstances.<sup>43</sup>

Schools play a crucial role in helping students develop personal mastery by providing an open environment for reflection.<sup>44</sup> In this state, students are empowered to make the choices aligning with their personal visions.<sup>45</sup> Conscious choices foster determination to achieve goals and encourage adopting challenging standards.<sup>46</sup> This personal mastery practice of identifying goals, understanding current reality, and making choices is similar to developing holistic wellness.<sup>47</sup>

### C. Wellness

Wellness is the process of pursuing optimal human functioning, integrating mind, body, and spirit.<sup>48</sup> Based in psychology, well-

<sup>40</sup> See *id.* at 138-39 (detailing personal vision as intrinsic and multifaceted).

<sup>41</sup> SCHOOLS THAT LEARN, *supra* note 25, at 59.

<sup>42</sup> See *id.* (defining creative tension as necessary to pull reality toward vision). Picture creative tension as a rubber band stretched between one's hands. See *id.* at 60; FIFTH DISCIPLINE, *supra* note 25, at 140. By raising one hand higher, the tension on the elastic increases, and the lower hand naturally follows the upward movement. See FIFTH DISCIPLINE, *supra* note 25, at 140.

<sup>43</sup> See *id.*; SCHOOLS THAT LEARN, *supra* note 25, at 59-60. Goals, hopes, and dreams "grow up" and create opportunities for more change. See SCHOOLS THAT LEARN, *supra* note 25, at 59-60.

<sup>44</sup> See SCHOOLS THAT LEARN, *supra* note 25, at 60 (advocating schools' role in personal mastery).

<sup>45</sup> See *id.* at 65 (clarifying the process of choice).

<sup>46</sup> See *id.* (listing benefits of choosing).

<sup>47</sup> See *infra* note 48 and accompanying text (describing the wellness process).

<sup>48</sup> See Merriam-Webster, *Wellness*, MERRIAM-WEBSTER, <http://www.merriam-webster.com/dictionary/wellness> (last visited Mar. 24, 2012). "[T]he quality or state of being in good health especially as an actively sought goal." *Id.*; see also Jane Myers, *Wellness*, <http://www.uncg.edu/ced/jemyers/wellness/docs/wellness.htm> (last visited Mar. 24, 2012).

[Wellness] is a way of life oriented toward optimal health and well-being in which body, mind, and spirit are integrated in a purposeful manner with a goal of living life more fully. Wellness is more than the absence of disease, a state defined as "health," and incorporates a concern for optimal functioning.

ness models categorize essential life aspects: internal and external, physical, emotional, and spiritual.<sup>49</sup> These models similarly identify facets over which individuals can exert some level of control to improve their lives.<sup>50</sup> This paper will review four such models: Hettler's Six Dimensions of Wellness, Myers & Sweeney's Indivisible Self, Ryff's Psychological Well-Being, and Seligman's Positive Psychology.

### 1. *Hettler's Six Dimensions of Wellness*

Bill Hettler, M.D. introduced the Six Dimensions of Wellness in 1976 and represented the dimensions as six triangles forming a hexagon of wellness.<sup>51</sup> The dimensions are occupational, physical, spiritual, emotional, social, and intellectual.<sup>52</sup> The occupational dimension "recognizes personal satisfaction and enrichment in one's life through work."<sup>53</sup> The physical dimension "recognizes the need for regular physical activity."<sup>54</sup> The spiritual dimension "recognizes our search for meaning and purpose in human existence."<sup>55</sup> The emotional dimension "recognizes awareness and acceptance of one's feelings."<sup>56</sup> The social dimension "encourages contributing to one's

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*Id.* (citation omitted); *see also* Nat'l Wellness Inst., *Defining Wellness*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow "About the Institute" hyperlink; then follow "Defining Wellness" hyperlink) (last visited Sept. 16, 2009). "Wellness is an active process through which people become aware of, and make choices toward, a more successful existence." *Id.*

<sup>49</sup> *See supra* note 48.

<sup>50</sup> *See supra* note 48.

<sup>51</sup> *See* Nat'l Wellness Inst., *Six Dimensional Model of Wellness*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow "About the Institute" hyperlink, then follow "Dimensions of Wellness" hyperlink) (last visited Sept. 16, 2009).

<sup>52</sup> *See* Nat'l Wellness Inst., *supra* note 51.

<sup>53</sup> Nat'l Wellness Inst., *Occupational Dimension*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow "About the Institute" hyperlink, then follow "Dimensions of Wellness" hyperlink; then follow "Occupational Dimension" hyperlink) (last visited Sept. 16, 2009).

<sup>54</sup> Nat'l Wellness Inst., *Physical Dimension*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow "About the Institute" hyperlink, then follow "Dimensions of Wellness" hyperlink; then follow "Physical Dimension" hyperlink) (last visited Sept. 16, 2009).

<sup>55</sup> Nat'l Wellness Inst., *Spiritual Dimension*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow "About the Institute" hyperlink, then follow "Dimensions of Wellness" hyperlink; then follow "Spiritual Dimension" hyperlink) (last visited Sept. 16, 2009).

<sup>56</sup> Nat'l Wellness Inst., *Emotional Dimension*, NATIONAL WELLNESS,

environment and community.”<sup>57</sup> The intellectual dimension “recognizes one’s creative, stimulating mental activities.”<sup>58</sup> Hettler’s National Wellness Institute assesses wellness using the Holistic Lifestyle Questionnaire (“HLQ”).<sup>59</sup>

## 2. *Myers & Sweeney’s Indivisible Self*

Jane E. Myers and Thomas J. Sweeney produced the “Indivisible Self” Model in 2005, which they depicted as a large circle representing the self connecting five smaller circles that represent the second-order factors contributing to the larger self.<sup>60</sup> The five smaller selves are the essential self, the creative self, the coping self, the social self, and the physical self.<sup>61</sup> The essential self is comprised of spirituality, self-care, gender identity, and cultural identity.<sup>62</sup> The creative self is the “combination of attributes that each individual forms to make a unique place among others in his or her social interactions”: thinking, emotions, control, positive humor, and work.<sup>63</sup> The four elements of the coping self are realistic beliefs, stress man-

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<http://www.nationalwellness.org> (follow “About the Institute” hyperlink, then follow “Dimensions of Wellness” hyperlink; then follow “Emotional Dimension” hyperlink) (last visited Sept. 16, 2009).

<sup>57</sup> Nat’l Wellness Inst., *Social Dimension*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow “About the Institute” hyperlink, then follow “Dimensions of Wellness” hyperlink; then follow “Social Dimension” hyperlink) (last visited Sept. 16, 2009).

<sup>58</sup> Nat’l Wellness Inst., *Intellectual Dimension*, NATIONAL WELLNESS, <http://www.nationalwellness.org> (follow “About the Institute” hyperlink, then follow “Dimensions of Wellness” hyperlink; then follow “Intellectual Dimension” hyperlink) (last visited Sept. 16, 2009).

<sup>59</sup> See Nat’l Wellness Inst., *What Is TestWell?*, TESTWELL, <http://www.testwell.org> (follow “What Is TestWell” hyperlink) (last visited Mar. 25, 2012).

<sup>60</sup> See Jane E. Myers & Thomas J. Sweeney, *The Indivisible Self: An Evidence-Based Model of Wellness*, 61 J. INDIVIDUAL PSYCHOL. 269, 272 (2005). Jane Myers is a professor in Counseling & Educational Development at the University of North Carolina at Greensboro. See Univ. of N.C. at Greensboro, *Counseling and Educational Development Faculty, Dr. Jane E. Myers*, UNCG, <http://www.uncg.edu/ced/faculty/myers.html> (last visited Mar. 25, 2012). Thomas Sweeney is Professor Emeritus of Counselor Education in the College of Education at Ohio University in Athens, Ohio. See Chi Sigma Iota, *Academy of Leaders, Thomas J. Sweeney*, CSI-NET, <http://www.csi-net.org/displaycommon.cfm?an=1&subarticlenbr=14> (last visited Mar. 25, 2012).

<sup>61</sup> Myers & Sweeney, *supra* note 60, at 272.

<sup>62</sup> *Id.* at 273.

<sup>63</sup> *Id.*

agement, self-worth, and leisure.<sup>64</sup> The social self is the continuum of friendship and love.<sup>65</sup> The physical self includes exercise and nutrition.<sup>66</sup> Myers and Sweeney developed the 5F-WEL to measure wellness and its underlying factors.<sup>67</sup>

### 3. *Ryff's Psychological Well-Being*

Carol D. Ryff and Corey Lee M. Keyes explain wellness in terms of psychological well-being ("PWB").<sup>68</sup> They introduced the Six-Factor Model of PWB in 1995, comprised of self-acceptance, environmental mastery, purpose in life, positive relations with others, personal growth, and autonomy.<sup>69</sup> Ryff & Keyes define self-acceptance as "positive evaluation of oneself and one's past life . . . ."<sup>70</sup> They define environmental mastery as "the capacity to manage effectively one's life and surrounding[s] . . . ."<sup>71</sup> Purpose in life is "the belief that one's life is purposeful and meaningful . . . ."<sup>72</sup> Ryff & Keyes explain positive relations with others as creating and maintaining healthy associations with others.<sup>73</sup> Personal growth is a "sense of continued growth and development as a person . . . ."<sup>74</sup> Autonomy is "a sense of self-determination."<sup>75</sup> Ryff's PWB Scales test well-being in these dimensions.<sup>76</sup>

<sup>64</sup> *Id.* at 274.

<sup>65</sup> *Id.*

<sup>66</sup> Myers & Sweeney, *supra* note 60, at 275.

<sup>67</sup> *See* Myers, *supra* note 48.

<sup>68</sup> *See* Carol D. Ryff & Corey Lee M. Keyes, *The Structure of Psychological Well-Being Revisited*, 69 J. PERSONALITY & SOC. PSYCHOL. 719 (1995). Carol Ryff is a professor in the Department of Psychology at The University of Wisconsin-Madison. *See* Univ. of Wis. Madison, *Department of Psychology Faculty & Staff*, Carol Ryff, PSYCH.WISC.EDU, <http://glial.psych.wisc.edu/index.php/psychsplashfacstaff/120> (last visited Mar. 26, 2012). Corey Lee Keyes is an associate professor in the Department of Sociology at Emory University. *See* Emory Univ., *Faculty, Department of Sociology, Corey Lee M. Keyes*, <http://www.sociology.emory.edu/ckeyes/> (last visited Mar. 26, 2012).

<sup>69</sup> *See* Ryff & Keyes, *supra* note 68, at 720.

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> Ryff & Keyes, *supra* note 68, at 720.

<sup>75</sup> *Id.*

<sup>76</sup> *See* Christopher S. Nave et al., *Beyond Self-Report in the Study of Hedonic and Eudaimonic Well-Being: Correlations with Acquaintance Reports, Clinician Judgments and Directly Observed Social Behavior*, NCBI, <http://www.ncbi.nlm.nih.gov/pmc>



#### 4. *Seligman's Positive Psychology*

Positive Psychology, founded by Martin Seligman, classifies character strengths and virtues, just as clinical psychology classifies mental disorders.<sup>77</sup> Seligman and colleagues proved the correlation between character strengths and subjective well-being (“SWB”) in 2004.<sup>78</sup> The study found a substantial relation between SWB and the character strengths: hope, zest, gratitude, love, and curiosity.<sup>79</sup> The study further showed intellectual strengths related weakly to SWB.<sup>80</sup> Hope is defined as “[e]xpecting the best in the future and working to achieve it; believing that a good future is something that can be brought about.”<sup>81</sup> Zest is defined as “[a]pproaching life with excitement and energy; *not* doing things halfway or halfheartedly; living life as an adventure; feeling alive and activated.”<sup>82</sup> Gratitude is defined as “[b]eing aware of and thankful for the good things that happen; taking time to express thanks.”<sup>83</sup> Love is defined as “[v]aluing close relations with others, in particular those in which sharing and caring are reciprocated; being close to people.”<sup>84</sup> Curiosity is defined as “[t]aking an interest in all of ongoing experience; finding all subjects and topics fascinating; exploring and discovering.”<sup>85</sup> Seligman measures character strengths using the Values in Action Inventory of Strengths (“VIA-IS”).<sup>86</sup>

Seligman and colleagues have extended this research to study whether exercises intended to draw out these strengths in individuals

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/articles/PMC2504322/ (last visited Mar. 26, 2012) (asserting Ryff’s PWB scales wide used).

<sup>77</sup> See Martin E. P. Seligman et al., *Positive Psychology Progress*, 60 AM. PSYCHOL. 410 (2005) [hereinafter Seligman, *Positive Psychology Progress*]. Martin Seligman is the director of the University of Pennsylvania Positive Psychology Center and the Founder of Positive Psychology. See Univ. of Pa. Positive Psychology Ctr., *Authentic Happiness: Using the New Positive Psychology* [hereinafter *Authentic Happiness*], AUTHENTIC HAPPINESS, <http://www.authentichappiness.org> (last visited Mar. 26, 2012).

<sup>78</sup> See generally Nansook Park et al., *Strengths of Character and Well-Being*, 23 J. SOC. AND CLINICAL PSYCHOL. 603 (2004).

<sup>79</sup> See *id.* at 610.

<sup>80</sup> See *id.*

<sup>81</sup> *Id.* at 606 tbl. 2.

<sup>82</sup> *Id.*

<sup>83</sup> Park et al., *supra* note 78, at 606 table 2.

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> See *id.* at 608. See generally *Authentic Happiness*, *supra* note 77.

affect ongoing happiness.<sup>87</sup> They discovered that week-long assignments in either writing about three good things that happened each day and why they happened, or using signature strengths of character in a new way had lasting effects on participant happiness six months later.<sup>88</sup> Future research could produce detailed methodologies to integrate positive psychology into clinical psychotherapy, bringing a total health perspective to the discipline.<sup>89</sup>

### 5. *Practicing on Purpose*

These four wellness models, defined from four differing perspectives, share commonality in their dimensions of wellness or well-being, as demonstrated in the table below.<sup>90</sup> Practicing on Purpose classifies the following Purposes: reflective, higher, inner, relational, external, analytical, and physical.

The Reflective Purpose is defined by self-reflection and is the embodiment of the creative tension identified by systems thinking. Self-reflection is the tool for discovering and developing the other six Purposes. Introspection unveils the thoughts, beliefs, feelings, and behaviors that comprise each person and Purpose.

The Higher Purpose is defined by self-knowledge and involves the aspects of basic identity and life meaning, and the hope of realizing them. The Higher Purpose asks and tries to answer big questions like “Why am I here?” and “What is life?” Some might find spiritual practices helpful to make connections between current reality and the hoped-for ideal.

The External Purpose is defined by self-expression: creating, understanding, and appreciating one’s part in society. Work, play, hobbies, crafts—these are self-expressions and face outward from oneself. Expressing and receiving gratitude is an indicator of a well-developed External Purpose; the converse creates a feeling of a lack

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<sup>87</sup> See Seligman, *Positive Psychology Progress*, *supra* note 77, at 419.

<sup>88</sup> See *id.*

<sup>89</sup> See *id.* at 420; see also WORLD HEALTH ORG. CONST. pmbl., available at [http://www.who.int/governance/eb/who\\_constitution\\_en.pdf](http://www.who.int/governance/eb/who_constitution_en.pdf). “Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.” *Id.* See generally Kennon M. Sheldon & Laura King, *Why Positive Psychology Is Necessary*, 56 AM. PSYCHOL. 216 (2001).

<sup>90</sup> See generally Myers & Sweeney, *supra* note 60; Nat’l Wellness Inst., *supra* note 51; Park et al., *supra* note 78; Ryff & Keyes, *supra* note 68.

of control of surroundings.

The Relational purpose is defined by self-acceptance, which generates the ability to experience love and social enrichment. It is cliché to say you must love yourself before you can love others, but that does not make it less true. Healthy social interactions require self-acceptance: the self-confidence to be oneself and trust others to do the same.

The Analytical Purpose is defined by self-definition; the inquisitive and critical mind reasons to make sense of one's experiences. Without this sense of autonomy, the analytical mind crumbles and adopts the reasoning of others. The intellect, or ego, is necessary for independence and the ability to stand on one's own.

The Inner Purpose is defined by self-gratification; our passions and instinctive behaviors at work under the surface. Coping skills are how we integrate emotions—both positive and negative—into the decisions and actions we take. The inner purpose brings these to light and helps us adapt or create positive responses and reactions to all emotional triggers.

The Physical Purpose is defined by self-preservation; the care we give to our bodies keeps us alive. Good eating, sleeping, and exercise habits create a body with stamina. We need healthy bodies to live the satisfying life the other Purposes nurture.

	Reflective Purpose	Higher Purpose	External Purpose	Relational Purpose	Analytical Purpose	Inner Purpose	Physical Purpose
<b>Hettler</b>	<i>self-reflection</i>	<i>self-knowledge</i> Spiritual	<i>self-expression</i> Occupational	<i>self-acceptance</i> Social	<i>self-definition</i> Intellectual	<i>self-gratification</i> Emotional	<i>self-preservation</i> Physical
<b>Myers &amp; Sweeney</b>		Essential	Creative	Social	Creative	Coping	Physical
<b>Ryff &amp; Keyes</b> <b>Seligman et. al.</b>	Personal Growth	Purpose in Life	Environmental Mastery	Positive Relations; Self- Acceptance	Autonomy	Zest	
		Hope	Gratitude	Love	Curiosity		

Table 1

### III. VISION

I developed the idea for this paper with the objective to “promote wellness in law students.” This expresses a means and not a result, so it is not really a vision.<sup>91</sup> As I reflected on my intention and inquired why it is valuable to promote wellness, I thought of the poem introducing this paper and understood how Practicing on Purpose defined my deeper vision.<sup>92</sup> Practicing on Purpose evokes an intentional, holistic focus and includes tending the dimensions of wellness (described as Purposes) to integrate vital values to law practice. The Purposes of wellness become foundations upon which law school can layer the values essential to the profession.

The idea that law students must have some level of wellness in order to internalize professional values is by no means groundbreaking.<sup>93</sup> Practicing on Purpose’s uniqueness is its inclusion of multiple models of wellness and its systems thinking underpinnings.<sup>94</sup> I will examine each Purpose in context of the study of law and its professional values.

#### A. Reflective Purpose

“The Reflective Purpose is defined by self-reflection and is the embodiment of the creative tension identified by systems think-

<sup>91</sup> See FIFTH DISCIPLINE, *supra* note 255, at 137 (recounting examples of goals that focus on means instead of driving to core vision).

<sup>92</sup> See MARKOVA, *supra* note 1. This book is a guidepost for me on my own wellness/personal mastery journey.

<sup>93</sup> See generally, e.g., STEVEN KEEVA, TRANSFORMING PRACTICES: FINDING JOY AND SATISFACTION IN THE LEGAL LIFE (1999) (offering solutions for reintegration of attorney selves); Bari Burke, *Preparing Law Students for Meaningful, Healthy Lives as Lawyers*, MONT. L. May, 2007 at 22 (supporting legal education’s misunderstanding of link of professionalism to health and happiness); Leah M. Christensen, *Going Back to Kindergarten: Considering the Application of Waldorf Educational Principles to Legal Education*, 40 SUFFOLK U. L. REV. 315 (2007) (applying holistic principles of Waldorf Education to law school); Lawrence S. Krieger, *The Inseparability of Professionalism and Personal Satisfaction: Perspectives on Values, Integrity, and Happiness*, 11 CLINICAL L. REV. 425 (2005) (establishing connections between life satisfaction and values and motivations promoting professional behavior among lawyers); Nancy Levit & Douglas O. Linder, *Happy Law Students, Happy Lawyers*, 58 SYRACUSE L. REV. 351 (2008) (relating positive psychology to effective and professional lawyering); Martin E. P. Seligman et al., *Why Lawyers Are Unhappy*, 23 CARDOZO L. REV. 33 (2001) (promoting positive psychology to ameliorate law profession malaise).

<sup>94</sup> See *supra* Parts II.B and II.C.

ing.”<sup>95</sup>

Law schools need to create learning space that allows students time to reflect both on the teachings of legal ethics and on the directions their inner compasses point, and how that compares to the collective.<sup>96</sup> Reflection skills are critical for development of professional identity, for they continually reinforce the habit of trying on a different point of view.<sup>97</sup> Time for reflection will also help students attain higher academic achievement in all areas.<sup>98</sup> Although some law schools do offer courses with reflective components (mainly offshoots of Professionalism or in a clinical environment), the fast pace of classes and studying generally prohibits students from engaging in habitual reflection.<sup>99</sup> These are lessons that bear repeating: more op-

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<sup>95</sup> *Supra* Part II.C.5.

<sup>96</sup> See Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. LEGAL EDUC. 75, 84 (2002) (elucidating learning space); Laurie A. Morin, *Reflections on Teaching Law as Right Livelihood: Cultivating Ethics, Professionalism, and Commitment to Public Service from the Inside Out*, 35 TULSA L.J. 227, 236-37 (2000) (explaining preparation of learning space).

<sup>97</sup> See Neil Hamilton & Lisa Montpetit Brabbit, *Fostering Professionalism Through Mentoring*, 57 J. LEGAL EDUC. 102, 118-19 (2007) (illustrating the role of reflection in developing professional identity); J.P. Ogilvy, *The Use of Journals in Legal Education: A Tool for Reflection*, 3 CLINICAL L. REV. 55, 75-76 (1996) (lauding reflective judgment as the hallmark of best practitioners).

<sup>98</sup> See Michael Hunter Schwartz, *Teaching Law Students to be Self-Regulated Learners*, 2003 MICH. ST. DCL L. REV. 447, 460-61 (2003) (describing reflection phase of self-regulating learning cycle); Sonsteng et al., *supra* note 2, at 405-06 (contextualizing reflection as part of experiential learning). Self-regulated learners take an active role in their education and adopt strategies that fit their skills and strengths to master material. See Schwartz, *supra*, at 452-53. The three phases of the self-regulated learning cycle are forethought, performance, and reflection. See *id.* at 454. The reflection phase has four segments: self-evaluation, attribution, self-reaction, and adaptation. See *id.* at 461. The experiential learning model has a similar four-phase learning cycle of doing, reflecting, integrating, and applying. See Sonsteng et al., *supra* note 2, at 405. The reflective aspects of both self-regulated learning and experiential learning are comparable to uncovering mental models, and learners risk falling onto the ladder of inference. See *id.*; Schwartz, *supra*, at 461; *supra* note 35.

<sup>99</sup> See, e.g., Lawrence S. Krieger, *What We're Not Telling Law Students—and Lawyers—That They Really Need To Know: Some Thoughts-in-Action Toward Revitalizing the Profession from Its Roots*, 13 J.L. & HEALTH 1, 10-11 (1999) (relating experience teaching with reflective journaling); Meltsner, *supra* note 7, at 458 (detailing reflective “Perspectives in Lawyering” course); Charles Senger, *Spirituality in Law School*, MICH. B.J. Dec. 2002 at 44, 44 (noting now-defunct Suffolk University Law School course “The Reflective Lawyer”); see also Barbara Glesner Fines, *The Impact of Expectations on Teaching and Learning*, 38 GONZ. L. REV. 89, 120 (observing that few law schools allow space for reflection); Grover, *supra* note 22, at 428 (pointing to the excessive workload as contributing to the lack of student reflection); Lustbader, *supra* note 22, at 337 (recognizing the irony of absence of reflection in Socratic method).

portunities for students to learn about themselves and the profession results in more practicing attorneys at ease with themselves and within their communities.<sup>100</sup>

### B. Higher Purpose

“The Higher Purpose is defined by self-knowledge and involves the aspects of basic identity and life meaning, and the hope of realizing them.”<sup>101</sup>

Hopefully, law students have identified the legal profession as part of their own Higher Purpose before entering law school.<sup>102</sup> Even for those who view law as a calling, law school threatens the Higher Purpose by tacitly encouraging students to compartmentalize their identities into “work” and “personal.”<sup>103</sup> The non-integrated student is then handicapped in the search for meaning and deeper purpose by potentially conflicting personas.<sup>104</sup> This experience implicitly ingrains the flawed notion of “work-life balance” as necessary for optimal functioning.<sup>105</sup> As poet David Whyte notes in *The Three Mar-*

<sup>100</sup> See Krieger, *supra* note 93, at 438 (explaining intertwined professionalism/career satisfaction and necessary reflection and repetition of ethical lessons); Paula Lustbader, *Walk the Talk: Creating Learning Communities to Promote a Pedagogy of Justice*, 4 SEATTLE J. FOR SOC. JUST. 613, 627 (2006) (explicating the connection between reflection and community).

<sup>101</sup> *Supra* Part II.C.5.

<sup>102</sup> See Peter H. Huang, *Authentic Happiness, Self-Knowledge and Legal Policy*, 9 MINN. J.L. SCI. & TECH. 755, 766-67 (2008) (relaying fulfillment from self-knowledge and career choice); Leonard L. Riskin, *The Contemplative Lawyer: On the Potential Contributions of Mindfulness Meditation to Law Students, Lawyers, and Their Clients*, 7 HARV. NEGOT. L. REV. 1, 65 (2002) (noting growth in self-knowledge might prompt lawyers to leave profession).

<sup>103</sup> See Lawrence S. Krieger, *Psychological Insights: Why Our Students and Graduates Suffer, and What We Might Do About It*, 1 J. ASS'N LEGAL WRITING DIRS. 259, 261 (2002) (observing that law school leaves no time for personal pursuits). Law firms also promote the view that the “work” self is more valuable than the “personal” self in the pay structure for new associates. See Peter H. Huang & Rick Swedloff, *Authentic Happiness & Meaning at Law Firms*, 58 SYRACUSE L. REV. 335, 337-38 (citing economic utility drives compensation with no consideration of personal engagement).

<sup>104</sup> See Grover, *supra* note 22, at 422 (noting law school causes student dis-integration counter to good health); Krieger, *supra* note 99, at 10-11 (asserting dis-integration prevents living a full life).

<sup>105</sup> See Kathleen M. Connolly, *Wellness and Mattering: The Role of Holistic Factors in Job Satisfaction*, 40 J. EMP. COUNS. 152 (2003) (reasoning that a deep sense of meaning requires work-life integration). Law firms tend to view work-life balance as a numbers game—balancing offering reduced billable hours requirements (and less pay) in exchange for (hopefully) less attrition and lower costs. See Francesca Jarosz, *Tipping Back the Scales: Law Firms in Search of Work-Life Balance*, BUS. L. TODAY Mar./Apr. 2007 at 13, 18.

*riages: Reimagining Work, Self and Relationship*, “It might not be a question of balance. Some other dynamic is in play, something to do with a very human attempt at happiness that does not quantify different parts of life and then set them against one another.”<sup>106</sup>

Aligning one’s undivided self to envision a meaningful, satisfying future creates hope, the character strength of believing good things will happen.<sup>107</sup> Hopelessness is a modifiable risk factor for depression and causes students to become withdrawn emotionally and academically.<sup>108</sup> Hopeless students (and practicing attorneys) might feel they have nothing to lose, making unethical choices seem more attractive.<sup>109</sup> Law schools can promote hope in students by helping students remain integrated and by reinforcing the value of a sole identity.<sup>110</sup>

### C. External Purpose

“The External Purpose is defined by self-expression: creating, understanding and appreciating one’s part in society.”<sup>111</sup>

Law school might seem to adequately address the External Purpose, both through occupational fulfillment and the gratification of serving society, but many lawyers are nonetheless dissatisfied by their vocation.<sup>112</sup> This discontent with the legal profession causes as-

<sup>106</sup> DAVID WHYTE, *THE THREE MARRIAGES: REIMAGINING WORK, SELF AND RELATIONSHIP* 9 (2009). Whyte presents love, work, and the self as three humanly necessary marriages that, instead of competing with each other, protect, embolden, and enliven each other. *See id.* at 322. Through conversation among the marriages, we can discover our true inner voice and larger context to existence. *See id.* at 322-23.

<sup>107</sup> *See supra* text accompanying note 81.

<sup>108</sup> *See* Gregory P. Couser, *Challenges and Opportunities for Preventing Depression in the Workplace: A Review of the Evidence Supporting Workplace Factors and Interventions*, 50 J. OCCUPATIONAL & ENVTL. MED. 411, 413 (2008) (listing hopelessness as a modifiable risk factor for depression); Flanagan, *supra* note 18, at 459 (describing the hopelessness of law students).

<sup>109</sup> *See* NEAL SHOVER & ANDY HOCHSTETLER, *CHOOSING WHITE-COLLAR CRIME* 109-110, 128 (2006) (using rational choice theory to describe choices of white collar criminals).

<sup>110</sup> *See, e.g.*, Jess M. Krannich et al., *Beyond “Thinking Like a Lawyer” and the Traditional Legal Paradigm: Toward a Comprehensive View of Legal Education*, 37 DENV. U. L. REV. 381, 389-90 (2009) (advocating integrated legal education treating lawyer as whole person); Morin, *supra* note 96, at 245 (describing reconnecting students to personal values); Floyd, *supra* note 18, at 559 (positing law school should teach students to integrate personal and professional morals).

<sup>111</sup> *Supra* Part II.C.5.

<sup>112</sup> *See, e.g.*, Susan Daicoff, *Asking Leopards to Change Their Spots: Should Lawyers*



tronomical levels of attrition, especially in large firms.<sup>113</sup> Although firms might try to buy attorney satisfaction with high salaries, many who leave cite lack of satisfying work as a primary reason for their departure.<sup>114</sup> Unfulfilled attorneys who do stay with large firms tend to commit seemingly minor ethical breaches such as timecard padding and telling white lies.<sup>115</sup> Some legal scholars have proposed teaching law as a “calling” and encouraging students to consider justice and service foremost in the study of law.<sup>116</sup> Presenting coursework through this lens would emphasize the role of gratitude (a character strength) in one’s relation to work and society—a mutual gratitude between the helper and the aided.<sup>117</sup> In this way, law can become the utmost fulfillment of the External Purpose.

#### D. Relational Purpose

“The Relational Purpose is defined by self-acceptance, which generates the ability to experience love and social enrichment.”<sup>118</sup>

While law school might teach students to understand social policy, it does not teach students to understand social relationships.<sup>119</sup>

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*Change? A Critique of Solutions to Problems with Professionalism by Reference to Empirically-Derived Attorney Personality Attributes*, 11 GEO. J. LEGAL ETHICS 547, 547 (1998) (noting widespread acceptance of dissatisfaction in the legal profession); Krieger, *supra* note 93, at 426-27 (retelling lesson to students of career dissatisfaction for lawyers); Senger, *supra* note 99, at 44 (stating that lawyering is not enjoyable for many).

<sup>113</sup> See Jarosz, *supra* note 105, at 18 (citing attorney attrition figures).

<sup>114</sup> See Melissa McClenaghan Martin, *The Gender Gap: The Real Opt-Out Story*, N.Y. L.J. Jul. 27, 2007, at 24 (referencing a survey of off-ramped women attorneys).

<sup>115</sup> See Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 VAND. L. REV. 871, 916-19 (1999) (describing herd mentality driving unethical behavior by increment).

<sup>116</sup> See Susan Daicoff, *Law as a Healing Profession: The “Comprehensive Law Movement”*, 6 PEPP. DISP. RESOL. L.J. 1, 44 (2006) (observing consistency between comprehensive law movement and law as a calling); Lustbader, *supra* note 22, at 335-36 (encouraging constructing law as calling in orientation programs); Silver, *supra* note 16, at 1198 (quoting Karl Llewellyn’s ideals of law as calling).

<sup>117</sup> See Conley, *supra* note 17, at 1994 (demonstrating gratitude as benefit of small firm practice).

<sup>118</sup> *Supra* Part II.C.5.

<sup>119</sup> See Daicoff, *supra* note 6, at 47 (noting shift in role of law in society and lack of attention to interpersonal relations in law school); Krannich et al., *supra* note 110, at 389-90 (citing lack of social skills training in law school). Therapeutic Jurisprudence and other “vectors” of the “Comprehensive Law Movement” “recognize[s] that the law is a social force with negative and positive emotional consequences for all of the people involved in a particular legal matter.” Susan Daicoff, *Making Law Therapeutic for Lawyers: Therapeutic Juri-*

The law school environment influences students to dehumanize their peers through competition for grades and honors, rapid pace of first-year coursework, and pressure to complete the immense volume of assignments.<sup>120</sup> The demands of law school strain pre-existing relationships as well.<sup>121</sup>

Underdeveloped social skills put lawyers at risk of breaking ethical rules related to interpersonal communication, such as confidentiality, billing agreements, and competent representation.<sup>122</sup> Law professors can guide students with role-modeling and mentoring, implicitly and explicitly conveying how to interact properly with clients and others.<sup>123</sup> Development of the other Purposes will help insulate students from the dehumanizing effects of the law school environment, allowing them to form healthier relationships with their peers and maintain other interpersonal connections.

### E. Analytical Purpose

“The Analytical Purpose is defined by self-definition; the inquisitive and critical mind applies reasoning to make sense of one’s experiences.”<sup>124</sup>

Law school is successful in helping students nurture their Analytical Purpose by teaching legal analysis with the case method.<sup>125</sup> Fully developed analytical skills also turn inward to generate

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*sprudence, Preventive Law, and the Psychology of Lawyers*, 5 PSYCHOL. PUB. POL’Y & L. 811, 813 (1999).

<sup>120</sup> See Flanagan, *supra* note 18, at 460 (describing the dehumanization of first-year law students). Despite spending a full-time work week in coursework and studying, many first-year students do not know the names of most other students in their section. See Lustbader, *supra* note 100, at 624.

<sup>121</sup> See Floyd, *supra* note 18, at 560 (relaying inability to sustain personal relationships); Ann L. Iijima, *Lessons Learned: Legal Education and Law Student Dysfunction*, 48 J. LEGAL EDUC. 524, 527 (1998) (asserting law school encourages students to sever social connections); Nancy J. Soonpaa, *Stress in Law Students: A Comparative Study of First-Year, Second-Year, and Third-Year Students*, 36 CONN. L. REV. 353, 359 (2004) (noting interpersonal relationships suffer during professional education).

<sup>122</sup> See Glesner, *supra* note 18, at 631 (conveying importance of interpersonal skills to attorney competency).

<sup>123</sup> See Hess, *supra* note 96, at 93 (describing the professorial mentoring impact on professionalism). Similarly, some law schools have implemented formal mentoring programs with practicing lawyers. See Hamilton & Brabbit, *supra* note 97, at 102 (mentioning mentoring externship programming).

<sup>124</sup> *Supra* Part II.C.5.

<sup>125</sup> See SULLIVAN ET AL., *supra* note 2, at 96-97 (noting the case method requires analyti-

self-understanding and make self-acceptance possible.<sup>126</sup> Students must be careful to maintain their curiosity (a character strength) and not operate by rote.<sup>127</sup>

Lawyers with well developed analytical skills but low levels of self-acceptance can rationalize amoral behavior so long as it is in the interest of their clients.<sup>128</sup> It is important for law students to analyze themselves and the type of lawyers they wish to be, and to live and practice by those terms.<sup>129</sup>

### F. Inner Purpose

“The Inner Purpose is defined by self-gratification: our passions and instinctive behaviors.”<sup>130</sup>

Law school devalues emotions and perpetuates the falsity that reason and passion cannot coexist.<sup>131</sup> Law schools’ rank-and-sorting tendency reinforces students’ need for external validation and reduces student autonomy.<sup>132</sup> Stripping students of positive emotions and self-validation hinders academic performance, sparking a downward spiral to stress, anxiety, and depression.<sup>133</sup> Stress creates a fog that

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cal thinking).

<sup>126</sup> See Daicoff, *supra* note 16, at 6-7 (describing first-year law students’ shift away from self-acceptance value).

<sup>127</sup> See Barbara Glesner Fines, *Competition and the Curve*, 65 UMKC L. REV. 879, 899 (1997) (asserting the law school competitive grade structure stifles curiosity); Grover, *supra* note 22, at 428-29 (observing the law school workload muffles curiosity).

<sup>128</sup> See Daicoff, *supra* note 112, at 562-565 (explaining the “amoral professional role” attorneys adopt to detriment of self-image and public perception).

<sup>129</sup> See Schiltz, *supra* note 115, at 949-50 (advising law students to examine themselves and begin acting ethically).

<sup>130</sup> *Supra* Part II.C.5.

<sup>131</sup> See AMIRAM ELWORK, *STRESS MANAGEMENT FOR LAWYERS: HOW TO INCREASE PERSONAL & PROFESSIONAL SATISFACTION IN THE LAW* 70, 128 (3d ed. 2007) (positing that law schools de-emphasize emotional characteristics and lawyers separate passion and reason); Flanagan, *supra* note 18, at 465 (asserting that law schools teach passion undermines logic). Emotions and cognition work together in harmony to promote logic and reason. See ELWORK, *supra*, at 130, 132. Emotions function as a trigger to stop and reflect on mental models at play instead of climbing the ladder of inference. See *supra* note 35.

<sup>132</sup> See Krieger, *supra* note 99, at 12-13 (demonstrating the effects of law students’ need to compare themselves with others). See generally Glesner Fines, *supra* note 127 (presenting norm-referenced grading undermines learning environment and values).

<sup>133</sup> See Iijima, *supra* note 121, at 526-27.

Because emotional state and academic performance are so closely related, and because law school contributes to emotional dysfunction, students may get caught in a downward spiral of emotional and academic

distorts one's own beliefs and values, and other's actions.<sup>134</sup>

The coping strategies students learn in law school will transfer with them to the profession.<sup>135</sup> Increased use of drugs and alcohol to relax or "take the edge off" translates to increased risk of ethical transgressions.<sup>136</sup> In contrast, using techniques like learned optimism to manage personal perceptions of stress helps students keep their drive and passion intact.<sup>137</sup>

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problems.

The typical response of law schools is, at best, to deal with only the academic aspect of students' problems through academic support programs. Although such programs, which focus on legal doctrine and test-taking skills, help many students, they fail to address and remedy a fundamental problem faced by law students in general: a lack of the "balance" essential to optimal academic performance and emotional health.

*Id.* Intentionally stressing students conditions them to seek out situations that perpetuate their experiences of stress as success. See Lawrence S. Krieger, *Institutional Denial About the Dark Side of Law School, and Fresh Empirical Guidance for Constructively Breaking the Silence*, 52 J. LEGAL EDUC. 112, 124 (2002). Scholars also criticize the general law school environment and the Socratic/case method for damaging students' emotional health. See Daicoff, *supra* note 6, at 1414 (reciting emotional distress resulting from Socratic method); Jason M. Dolin, *Opportunity Lost: How Law School Disappoints Law Students, the Public, and the Legal Profession*, 44 CAL. W. L. REV. 219, 224-25 (2007) (criticizing Socratic/case method as psychologically damaging). See generally Dunlap, *supra* note 22 (responding to psychological damage of law school with humanizing efforts); Glesner, *supra* note 18 (detailing "fear and loathing" of law school); Schiltz, *supra* note 115 (equating high rates of attorney distress with law school causation).

<sup>134</sup> See Glesner, *supra* note 18, at 639-40 (describing impact of stress on relationships and values). Extreme stress produces a disease known as "burnout" which is a state of exhaustion and loss of meaning and values. See *id.* at 638-39 (quoting *Conduct of Loew*, 642 P.2d 1171, 1173 n. 2 (Or. 1982)) (describing attorney burnout); Normand Amundson & Jeff Morley, *Workplace Wellness and Worker Well-Being*, in TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING IN THE 21ST CENTURY: NEW ROLES AND CHALLENGES FOR GUIDANCE AND COUNSELING 103, 104-05 (Bryan Hiebert & William Borgen eds., 2002) (listing attributes of employees with burnout); Hess, *supra* note 96 (ascribing detachment of second and third-year law students to burnout); Couser, *supra* note 108, at 413 (defining burnout and equating to adjustment disorder). Burnout creates a high risk of clinical depression. See Couser, *supra* note 108, at 413.

<sup>135</sup> See Glesner, *supra* note 18, at 639-41 (presenting alcohol and drug use as unhealthy stress coping strategies).

<sup>136</sup> See *id.*

<sup>137</sup> See Couser, *supra* note 108, at 417 (describing proactive stress management); Seligman, *supra* note 93, at 49 (suggesting curbing pessimism as coping technique); cf. Catherine Gage O'Grady, *Cognitive Optimism and Professional Pessimism in the Large-Firm Practice of Law: The Optimistic Associate*, 30 L. & PSYCHOL. REV. 23, 37-38 (2006) (noting pessimism is sometimes appropriate for law students despite the general benefits of optimism).

#### IV. PROPOSAL

Practicing on Purpose is a program and a mindset to develop and pursue personal mastery through reflective journaling.<sup>138</sup> Participants discover a multi-faceted life vision through cultivating self-awareness and taking inventory of their Purposes.<sup>139</sup> To be a proactive prescription to improve values of law students, the program must modify existing core course curricula and not stand alone.<sup>140</sup> In isolated programs, change can only happen at the individual level, but with a school-wide wellness-based initiative, the tides rise higher and faster as community members possess common goals, incentives, and vernacular.<sup>141</sup>

Legal education reformers have proposed many solutions to improving student well-being and values, most notably in the years following publication of the MacCrate Report, Best Practices, and the Carnegie Report.<sup>142</sup> None of these recommendations, which range from specific courses to general topic inclusion to comprehensive

<sup>138</sup> See *supra* note 37.

<sup>139</sup> See *supra* Part III intro.

<sup>140</sup> See Krieger, *supra* note 133, at 127 (asserting that small non-curricular changes marginalize well-being).

<sup>141</sup> See SULLIVAN ET AL., *supra* note 2, at 139 (expounding “ethical-social” apprenticeship and law cannot help but change student values); see also Ass’n of Am. L. Sch., *Curriculum Innovations Starter documents*, AALS, <http://www.aals.org> (then follow “Curriculum Innovations” hyperlink under “Resources” menu, then follow “Starter Documents” hyperlink) (last visited Mar. 26, 2012) (presenting “ethics” as theme for curricular innovation).

<sup>142</sup> See Dolin, *supra* note 133, at 251-52 (offering medical school model and clinical solutions); Goldman & Cooney, *supra* note 7, at 1135-36 (recommending incorporation of therapeutic jurisprudence into teaching client counseling); Hamilton & Brabbit, *supra* note 97, at 107-08 (noting the benefits of a mentoring program for law students); Krieger, *supra* note 93, at 435-38 (recounting lesson of students writing own eulogies); Krieger, *supra* note 103, at 263-64 (suggesting reflective exercises in legal writing programs); Levit & Linder, *supra* note 93, at 359 (claiming increased student happiness with control, connectedness, flow, comparing downward); Lustbader, *supra* note 22, at 330 (advocating changes to law school orientation programs); Meltsner, *supra* note 7, at 459 (describing “Perspectives On Lawyering” class); Riskin, *supra* note 102 (promoting benefits of mindfulness meditation for law students); Joshua D. Rosenberg, *Interpersonal Dynamics: Helping Lawyers Learn the Skills, and the Importance, of Human Relations in the Practice of Law*, 58 U. MIAMI L. REV. 1225 (2004) (relating need for Interpersonal Dynamics class); Sonsteng et al., *supra* note 2, at 442 (presenting seventeen-year plan for legal education renaissance). Others have suggested that faculty members change their own behavior to improve outcomes for law students. See, e.g., Anzalone, *supra* note 12 (advocating faculty self-awareness); Dunlap, *supra* note 22, at 396 (advising adopting humanizing characteristics); Gerald F. Hess, *Learning to Think Like a Teacher: Reflective Journals for Legal Educators*, 38 GONZ. L. REV. 129 (2003) (conveying benefits of reflective journaling).

reform, specifically addresses the holistic wellness concept of Practicing on Purpose.<sup>143</sup> Some do identify the common undercurrent of the Purposes, self-awareness, as necessary for individual growth.<sup>144</sup>

The use of journals as a pedagogical tool in legal education has increased, mostly in clinical programs and scattered alternative dispute resolution courses.<sup>145</sup> In such situations, students engage in reflective writing, usually on an assigned topic to better understand their reactions and to learn to self-regulate.<sup>146</sup> Although students do gain insights and some level of self-awareness, the narrow focus of these journal assignments does not provide opportunity to probe all the Purposes.<sup>147</sup>

The core activity of the Practicing on Purpose program is keeping a personal journal as part of both the first-year legal skills/lawyering course and the professional responsibility course.<sup>148</sup> Instructors introduce the program in relation to the central role of lawyers in society and the resulting importance of lawyer well-being.<sup>149</sup> Course materials cite the documented effects of law school on student well-being, the significance of maintaining a personal

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<sup>143</sup> See *supra* note 142 (collecting curriculum reform recommendations).

<sup>144</sup> See Hess, *supra* note 142, at 129 (stating students improve self-awareness through journaling); Krannich et al., *supra* note 110, at 404 (promoting student self-awareness and personal/professional values integration); Krieger, *supra* note 18, at 249-50 (presenting self-awareness as a key factor of humanizing legal education); Lustbader, *supra* note 22, at 342-43 (claiming effective, ethical lawyering requires self-awareness); Ogilvy, *supra* note 97, at 63 (noting self-awareness as benefit of journaling); Riskin, *supra* note 102, at 47 (asserting that meditation facilitates self-awareness); Rosenberg, *supra* note 142, at 1234 (listing self-awareness as an essential interpersonal skill).

<sup>145</sup> See generally Michael Moffitt, *Lights, Camera, Begin Final Exam: Testing What We Teach in Negotiation Courses*, 54 J. LEGAL EDUC. 91 (2004) (analyzing the effectiveness of journals in negotiation courses); Ogilvy, *supra* note 97 (discussing the use of journals in legal education); Elizabeth M. Schneider, *Student Stories*, 76 UMKC L. REV. 839 (2008) (telling of the teaching merits of journaling).

<sup>146</sup> See *supra* note 145.

<sup>147</sup> See Ogilvy, *supra* note 97 (describing the benefits of reflective writing). This use of journals is very effective for its purpose, which is to reinforce lessons, and distinct from the Practicing on Purpose program.

<sup>148</sup> See Ass'n of Am. L. Sch., *Curriculum Innovation Survey*, AALS, <http://www.aals.org> (then follow "Curriculum Innovations" hyperlink under "Resources" menu; then follow "Overview of Curricular Innovation/Survey" hyperlink) (last visited Mar. 26, 2012) (indicating that nearly all schools offer both legal skills/lawyering courses and professional responsibility).

<sup>149</sup> See generally SULLIVAN ET AL., *supra* note 2 (defining the purpose of professional education as teaching knowledge, skills, and values of professionals).

code of values, and the relation to success as a practicing attorney.<sup>150</sup>

The content of each student's journal is unique within the context of learning more about one's own Purposes. Initially, students evaluate their wellness with a diagnostic test.<sup>151</sup> The program presents students with open-ended questions to develop self-awareness in each of their Purposes, and based on the results of the diagnostic, guides students to areas of opportunity and growth. Supplementary resources provide optional structure for students' self-inquiry.<sup>152</sup>

Periodically, students hand in written assignments relating to each of the Purposes, describing an illumination from the students' journaling experience.<sup>153</sup> At the end of the legal skills/lawyering course, students give oral presentations—storytellings—that demonstrate aspects of each of the Purposes in their lives.<sup>154</sup> When instructors reintroduce Practicing on Purpose in the professional responsibility course, they emphasize applying self-awareness of each Purpose to the values and ethics of the Profession. The culmination of the program is a contract with oneself, where each student writes his/her

<sup>150</sup> See *id.*; *supra* Part III. By presenting the context of success, students will be more likely to internalize concepts of the course instead of brushing them off as irrelevant or touchy-feely. See Krieger, *supra* note 133.

<sup>151</sup> See Authentic Happiness, *supra* note 86 (providing VIA Signature Strengths test); Myers, *supra* note 28 (describing 5F-Wel wellness test); Nat'l Wellness Inst., *What Is Test-Well?*, TESTWELL, <http://www.testwell.org> (accessing HLQ test); Ryff & Keyes, *supra* note 68, at 720 (noting Ryff Scales measure wellness).

<sup>152</sup> See F. GREGORY COFFEY & MAUREEN C. KESSLER, *THE REFLECTIVE COUNSELOR: DAILY MEDITATIONS FOR LAWYERS* (2008) (providing daily reflection topics germane to lawyers); *COURAGE TO CHANGE: ONE DAY AT A TIME IN AL-ANON II* (Al-Anon Family Group Headquarters, Inc., 1992) (giving daily readings and questions related to addiction); BYRON KATIE, *LOVING WHAT IS: FOUR QUESTIONS THAT CAN CHANGE YOUR LIFE* (2002) (describing process for addressing stressful patterns of thought); KEEVA, *supra* note 93 (relating ways to find meaning in lawyering). Lawrence Krieger notes the benefit of twelve-step programs for attorneys, because "personality characteristics of addiction . . . are commonly seen among lawyers and law students" such as "egotism and self-centeredness, lack of self-esteem, perfectionism, excessive reactivity to events and other people, and fear and anxiety. See Krieger, *supra* note 99, at 32. Additionally, twelve-step programs require "a searching and fearless moral inventory of [oneself]." See *COURAGE TO CHANGE*, *supra*, at 367. Byron Katie's program "The Work" provides a technique for releasing self-limiting thought patterns. See KATIE, *supra*.

<sup>153</sup> In addition to the practicality of ensuring students are participating in the journaling exercises, the written stories provide acknowledgment and validation of the experience. See Schneider, *supra* note 145.

<sup>154</sup> See STUCKEY ET AL., *supra* note 4, at 234 (promoting storytelling as an effective classroom technique).

own rules of conduct, including remedial measures for infractions.

Practicing on Purpose is a lifelong discipline of self-inquiry, and the concepts and exercises presented during law school will carry with the student into practice as a lawyer. The most important lessons are enjoying the journey, and appreciating that success is progress, not perfection.

## **V. CONCLUSION**

Although traditional legal education succeeds in producing lawyers with sharp legal analytical skills, recent studies show that lawyers need stronger training in professional values. It is even possible that law school erodes students' pre-existing values. Using a systems-thinking perspective, Practicing on Purpose melds four different wellness models to form a holistic program that drives student self-awareness. This awareness promotes inner growth in each of the Purposes, allowing students to develop comprehensive personal codes of ethics that comport with expected professional values. Through this program, law schools can fill the deficiency identified by the Carnegie Report and produce graduates with a full understanding of the ethical norms expected at the bar.