

LAW STUDENT MOTIVATION, SATISFACTION, AND WELL-BEING: THE VALUE OF A LEADERSHIP AND PROFESSIONAL DEVELOPMENT CURRICULUM

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I. INTRODUCTION

Teaching first-year law students during their first semester is a blast, regardless of the subject area.¹ Their excitement, engagement, and enthusiasm about law school is infectious. Most students are reasonably well-prepared for class. They often volunteer answers or thoughtful comments without hesitation. Students are also excited about their future opportunities, regardless of how formed, or not, their career plans may be. Their ideas about what they want to do with their future law degrees are as varied as their pre-law school experiences and backgrounds.

Then, somewhat slowly, everything changes. By the beginning of the second semester of the first year the change in student's mood is palpable. In the classroom, student participation and overall engagement declines significantly. Hands are raised less frequently, fewer comments are offered, and the quality of the participation declines. Much of the students' enthusiasm about the future has been replaced by resignation, if not despair. Other students, regardless of their initial career goals, are avidly pursuing now available summer jobs with large law firms. A significant number of the students report a decline in their sense of well-being.² Even the camaraderie among the law students is somewhat diminished.

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1. I presently teach Criminal Law, and previously taught Civil Procedure, in the first semester. I also teach a new course, Lawyering and Professionalism to the entire first-year class.

2. See *infra* notes 33-38 and accompanying text, *supra*.

What happens? Simply stated, the wide-open, exciting world of law school and career possibilities has contracted. Student perspectives have narrowed to an almost exclusive attention on exam results, grades, and job interview prospects. A large number of students have forgotten their own unique reasons for coming to law school or, at least, feel less connected to that original sense of purpose. As a result, student enthusiasm for the process of learning the law and how to use the law fades.

Why? Students feel less in control of their present circumstances or their future prospects. Their sense of purpose – why they are in law school – can become a distant memory at best. The broad range of career ideas narrows to the brass ring, available to only a few, of a position in a large law firm. In other words, intrinsic motivations are replaced by externally driven values and goals. Perspectives narrow to focus more heavily on external rewards and recognition.

This essay examines one set of theoretical underpinnings of this phenomenon. The article then discusses the potential of leadership and professional developments courses to significantly mitigate the negative impacts of the traditional structure of legal education.

II. LAW STUDENT MOTIVATION AND WELL BEING

A. SELF-DETERMINATION THEORY

1. Overview

Professors Edward Deci and Richard Ryan, of the University of Rochester, are the primary architects of the self-determination theory of optimal motivation and human thriving.³ Self-determination theory (SDT) is founded on the assumption that all individuals have “, natural, innate, and constructive tendencies to develop an ever more elaborated and unified sense of self.”⁴ SDT further posits that there are identifiable social-contextual factors that support, and thwart, this human tendency.⁵

Specifically, SDT starts with the premise that an individual engages in activities because the individual finds those activities interesting and enjoyable. Intrinsically motivated behaviors derive from the

3. See generally HANDBOOK OF SELF-DETERMINATION RESEARCH (Edward L. Deci & Richard M. Ryan eds., 2002) [hereinafter HANDBOOK OF SELF-DETERMINATION RESEARCH].

4. *Id.* at 5.

5. *Id.*

inherent satisfaction of those behaviors. When intrinsically motivated, people willingly engage in activities sustained by the experience of interest and satisfaction.⁶ Extrinsic motivators, in contrast, are focused toward external outcomes that are separable from the activity itself, i.e. the activity is viewed as a means to an end and not as an end in itself. Rewards, punishments, compensation, and positive recognition are classic examples of extrinsic motivators.⁷

The SDT-related research over the past forty years has focused, in part, on the environmental and personality factors that are positive and negative influences on motivation. The research findings demonstrate that “controlling or coercive authorities and environmental contexts” negatively impact intrinsic motivation.⁸ Extrinsic motivators—such as performance pressure, rewards and enticements, and recognition—“may produce positive performance to some extent” but in the long run “tend to work against persistence, enjoyment, creativity, and integration.”⁹ In short, satisfaction, enjoyment, and fulfillment are generally dependent on intrinsic, not extrinsic, motivators.

2. *Fundamental Psychological Needs*

In SDT, the concept of basic or fundamental psychological needs is critical in explaining and understanding the positive versus negative effects of environmental and social context on motivation. The theory posits three needs that provide a basis for categorizing aspects of the social environment as “supportive or antagonistic to integrated and vital human functioning.”¹⁰ The three needs are the need for competence, the need for autonomy, and the need for relatedness. Under the theory these three needs are fundamental and universal because they represent innate requirements rather than acquired motives. In application, even if an individual is “not explicitly conscious of needs as goal objects, the healthy human psyche ongoingly strives for these nutrients and, when possible, gravitates toward situations that provide them.”¹¹

The need for competence refers to a desire to experience opportu-

6. *Id.* at 10; see also 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, 263 (2004) [hereinafter *Does Legal Education Have Undermining Effects on Law Students?*].

7. *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6, at 263-64.

8. *Id.*

9. *Id.*

10. HANDBOOK OF SELF-DETERMINATION RESEARCH, *supra* note 3, at 6.

11. *Id.* at 7.

nities to demonstrate and express effective capabilities. “In other words, people need to feel they are good at what they do or at least can become good at it.”¹² But competence is not an attained skill or capability—instead, competence is a felt sense of effectiveness and confidence in action.¹³

Autonomy implicates an individual’s need to act based on their own interest and values. “When autonomous, individuals experience their behavior as an expression of the self, such that, even when actions are influenced by outside sources, the actors concur with influences, feeling both initiative and value with regard to them.”¹⁴ In other words, people do what they choose because they enjoy or believe in that behavior. The person has control over what they choose to do. Autonomy, however, is not the same as independence. Independence generally means not acting pursuant to external sources or influences. A person can act autonomously in response to external requests or influences provided that the person congruently endorses those requests or influences.¹⁵

Relatedness refers to the need to feel connected to others. Relatedness implicates caring for others, being cared for by others, and having a sense of belonging to a group or community.¹⁶ Individuals need to feel a sense of relating meaningfully to others. They need to feel accepted and secure in the process. “The need to feel oneself as being in relation to others is thus not concerned with the attainment of a certain outcome (e.g., sex) or a formal status (e.g., becoming a spouse, or a group member), but instead concerns the psychological sense of well-being with others in a secure communion or unity.”¹⁷

Daniel Pink grounds his book, *Drive: The Surprising Truth About What Motivates Us*,¹⁸ on self-determination theory.¹⁹ Pink, however,

12. See Kennon M. Sheldon & Lawrence S. Krieger, *Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory*, PERSONALITY SOC. PSYCHOL. BULL. 883, 885 (2007) [hereinafter *Understanding the Negative Effects of Legal Education on Law Students*].

13. HANDBOOK OF SELF-DETERMINATION RESEARCH, *supra* note 3, at 7.

14. *Id.* at 8.

15. *Id.*

16. *Id.* at 7.

17. *Id.*

18. DANIEL H. PINK, *DRIVE: THE SURPRISING TRUTH ABOUT WHAT MOTIVATES US* (2009).

19. *Id.* at 70-74. The idea for this essay, in fact, came from an email exchange I had with Daniel Pink after rereading *Drive*. Daniel Pink is a law graduate (Yale), something not revealed in the brief bio on the book cover. Intrigued by his book, I asked him if he had ever considered how the structure of traditional legal education meshes, or not, with motivation theory. His response prompted not only this essay, but also helped guide me in designing a number of my classes and courses.

makes two modifications to SDT terminology. In exploring the foundation and application of SDT in an organizational context, he retains the label and concept of autonomy. However, he refers to competence as *mastery*, presumably to capture the reality that competence requires time and commitment to achieve.²⁰ Pink also recasts relatedness and expands the concept into one of *purpose*,²¹ building on research from beyond SDT alone.²² Relatedness is a component of purpose, particularly in an organizational context. Relatedness and purpose both are grounded on the notion that we are all motivated by a need to relate to something outside ourselves, whether it is another person or a meaningful shared goal. But the concept of purpose goes beyond the need to simply relate to others and achieve a sense of belonging. According to Pink:

[A]utonomy and mastery . . . are essential. But for proper balance we need a third leg – purpose, which provides a context for it two mates. Autonomous people working toward mastery perform at very high levels. But those who do so in the service of some higher objective can achieve even more. The most deeply motivated people—not to mention those who are most productive and satisfied—hitch their desires to a cause larger than themselves.²³

Use of Pink's triad of autonomy, mastery and purpose, is particularly applicable and useful in the law school and legal practice contexts. Law students and lawyers spend the early part of their careers, if not their whole careers, developing and honing the needed skills, expertise, and judgment to achieve a sense of mastery. With regard to purpose, lawyers serve others. Law is a service profession. Most law students enter law school with a sense of purpose to increase their capacity to assist others, solve problems, and make a difference. The concept of autonomy—individual choice and control over one's life—directly applies to an educational experience and work life rife with external influences like client demands, grades, supervising attorneys, deadlines, and workload.

Regardless of the labels used, or the breadth of the relatedness/purpose need, research has shown that fulfillment of the needs leads to a host of positive outcomes. Influences and environments that

20. *Id.* at 109-30. The concept of mastery seems particularly applicable to law students and lawyers, as true competence for a lawyer takes considerable time to develop.

21. *Id.* at 131-46.

22. *See id.* at 228 nn.3-5; Daniel Pink also explained the modification in an email dated February 20, 2018 (on file with the author).

23. *Id.* at 133.

thwart fulfillment of these essential needs “diminishes the individual’s motivation, growth, integrity, and well-being.”²⁴ A number of studies have demonstrated a “clear empirical link” between satisfaction of the three fundamental needs and well-being, both subjective and eudaimonic.²⁵ According to the research, “general satisfaction of each basic need contributed to general well-being and . . . daily satisfaction of each basic need explained daily fluctuations in well-being.”²⁶

3. SDT and Law Students: The Work of Professors Sheldon & Krieger

Professors Kennon Sheldon²⁷ and Lawrence Krieger²⁸ engaged in two ground-breaking, SDT theory-guided studies of changes in law student well-being. The studies employed longitudinal designs to reliably investigate hypothesized changes during law school in student motivations, values, need satisfaction, and emotional health.²⁹ The first study, published in 2004, evaluated changes in subjective well-being, motivation, and values experienced by law students during their time in law school.³⁰ The second study, published in 2007, examined changes in well-being, but also investigated the mechanisms by which the law school experience generated the negative effects on students.³¹

Both studies employed the concept of “subjective well-being” (“SWB”), as used in other research related to SDT, to measure happiness. While agreement on a uniform meaning of happiness is likely impossible, as Sheldon and Krieger note, there is general agreement that “that happiness is the prime human motivator, and certainly lawyers go to work and students go to law school in order to further some goal related to experiencing happiness.”³² For the study, SWB focused

24. See HANDBOOK OF SELF-DETERMINATION RESEARCH, *supra* note 3, at 9; see also *Understanding the Negative Effects of Legal Education on Law Students*, *supra* note 12, at 885.

25. HANDBOOK OF SELF-DETERMINATION RESEARCH, *supra* note 3, at 23. The eudaimonic approach to well-being focuses on meaning and self-realization and defines well-being in terms of the degree to which a person is fully functioning.

26. *Id.*

27. Professor, Dep’t of Psychol. Sci., U. of Mo. (Columbia).

28. Clinical Professor of Law, Fla. St. U. Coll. of Law.

29. See *Understanding the Negative Effects of Legal Education on Law Students*, *supra* note 12; *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6.

30. See generally *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6.

31. See generally *Understanding the Negative Effects of Legal Education on Law Students*, *supra* note 12.

32. See Lawrence S. Krieger & Kennon M. Sheldon, *What Makes Lawyers Happy? A Data-Driven Prescription to Redefine Professional Success*, 83 GEO. WASH. L. REV. 554, 562 (2015) [hereinafter *What Makes Lawyers Happy?*]. Dr. Martin Seligman, the moving force behind positive psychology and author of *AUTHENTIC HAPPINESS* (2002), after wres-

on three constructs: positive affect, negative affect, and life satisfaction.³³ Positive and negative affect refer to “happy and unhappy mood states.”³⁴ Life satisfaction refers to cognitive judgments about “one’s life as a whole.”³⁵ Specifically, the studies quantified SWB as “the sum of life satisfaction and positive affect, or mood (after subtracting negative affect), utilizing established instruments for each factor.”³⁶

The first study, which surveyed a cohort of Florida State University law students, documented that the students demonstrated “marked increases in depression, negative mood, and physical symptoms, with corresponding decreases in positive affect and life satisfaction; shifts from helping and community-oriented values to extrinsic, rewards-based values in the first year.”³⁷ The students also exhibited “similar shifts in motivation for becoming lawyers, from salutary internal purposes (for interest, enjoyment, and meaning) to more superficial and external reasons (such as for financial rewards, recognition, or to impress or please others); and decreases in values of all kinds after the first year, suggesting generalized demoralization or loss of personal purpose.”³⁸

The second study, which included a second law school, added additional measures to investigate further the mechanisms underlying the negative effects on students—specifically the level of autonomy support the students experienced and the level of satisfaction of the “students’ needs for autonomy, competence, and relatedness.”³⁹ Based on the additional measures, the data demonstrated that the negative impacts resulted from decreases in satisfaction of the three fundamental needs.⁴⁰ The study also determined that an autonomy-supportive educational environment resulted in greater well-being, more internal motivation, and better academic performance.⁴¹

The study findings highlight the importance and impact of the ed-

tling with the word and concept of “happiness theory,” has adopted the arguably broader concept of “well-being theory” as a replacement. See MARTIN E. P. SELIGMAN, FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING 9-16 (2011).

33. *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6, at 267.

34. *Id.* at 268.

35. *Id.* at 267-68.

36. *What Makes Lawyers Happy?*, *supra* note 32, at 562. For a detailed discussion of the measurement methods, see *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6, at 268.

37. *What Makes Lawyers Happy?*, *supra* note 32, at 566.

38. *Id.*

39. *Id.* at 567.

40. See *Understanding the Negative Effects of Legal Education on Law Students*, *supra* note 12, at 893.

41. *Id.*

educational environment satisfaction, or not, of a student's need for competence, autonomy, and purpose or relatedness. Specifically, a student perception of the faculty as controlling and non-responsive to their concerns resulted in significantly lower need satisfaction.⁴² A student perception, in contrast, that the faculty are more supportive, responsive to student concerns, and provide meaningful rationales for academic requirements resulted in higher motivation and well-being.⁴³

Simply stated, the study supports the proposition that a motivating law school environment is one that fosters a student's sense of self-direction, demonstrates the relevance of the material being learned and the process of learning it, and is supportive of the individual interests and values of the student. The study also concludes that such an environment promotes increased student well-being, engagement, and academic performance.⁴⁴

III. IMPLICATIONS FOR LEADERSHIP AND PROFESSIONAL DEVELOPMENT CURRICULA

A. THE CHALLENGE (AND OPPORTUNITY)

Professors Sheldon and Krieger found, as discussed above, that law students enter law school with energy, enthusiasm, and an above-average sense of well-being.⁴⁵ Yet, within the first year of law school, the students experience a significant decline in well-being, and experience or exhibit many of the symptoms of that decline.⁴⁶

The 2014 Survey of Law Student Well-Being, conducted with support from the American Bar Association, underscores the scope of the challenge.⁴⁷ Over half of the respondents reported drinking enough to be drunk at least once in the prior thirty days. Forty-three percent self-reported at least one episode of binge drinking in the prior two weeks, with twenty-two percent reporting two or more episodes during the same period. Over fourteen percent of the responding students re-

42. *Id.*

43. *Id.* at 894.

44. *Id.*

45. *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6, at 270.

46. *See supra* notes 32 and 33.

47. *See generally* Jerome M. Organ, David B. Jaffe & Katherine M. Bender, *Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Abuse and Mental Health Concerns*, 66 J. LEGAL EDUC. 116 (2016) [hereinafter *Suffering in Silence: The Survey of Law Student Well-Being*].

ported use of prescription drugs without a supporting prescription in the prior twelve months. Seventeen percent screened positive for depression and twenty-three percent screened positive for mild to moderate anxiety.⁴⁸

Much of the recent attention has focused on providing resources and assistance to students suffering from depression, substance abuse, and mental health difficulties. Those recommendations are valid and should be implemented. But we should try and address the cause of the problems, not just treat the symptoms. Building on the work of Professors Sheldon and Krieger, we should modify or expand our educational efforts to address and strive to meet more effectively the psychological needs of our students—specifically the need for mastery, autonomy, and purpose.⁴⁹

Leadership and professional development courses and extracurricular programming can serve as an important antidote to the negative impact of much of traditional legal education on satisfaction of the student's psychological needs. Moreover, if designed and structured intentionally in light of the students' needs, our programs and courses can help improve the well-being of our students.

As Professors Sheldon and Krieger demonstrate, an educational environment can be intentionally designed and implemented to provide significant support for the students' need for autonomy.⁵⁰ Their studies focused primarily, though not exclusively, on the autonomy need.⁵¹ Yet, programming and curriculum, as Sheldon and Krieger recognized, can also be intentionally crafted to serve student needs for mastery and purpose. In fact, leadership and professional development educational programming is uniquely positioned in the present culture of legal education to support all three needs, thereby increasing student engagement, motivation, and well-being.

B. A RESPONSE

In the spring of 2016, the faculty approved, and I agreed to teach, a new one-credit, required first-year course—Lawyering and Professionalism. The course was intended, according to the proposal ap-

48. *Id.* at 127-38.

49. As discussed previously, I utilize the terminology advanced by Daniel Pink as particularly appropriate for lawyers and law students.

50. 1L Curriculum Review Task Force Recommendation for the First Year Curriculum, Approved by the University of Tennessee College of Law Faculty on 4/14/2015 (on file with author).

51. In fact, the first primary hypothesis of the first study was that "Participants would experience declining autonomous motivation and increasing controlling motivation . . ." *Does Legal Education Have Undermining Effects on Law Students?*, *supra* note 6, at 265.

proved by the faculty, “to combat problems that many students experience in the first year: they feel confused about the purpose of the doctrine they are learning, they forget why they came to law school, their focus narrows, and they do not give sufficient thought to the kind of lawyers they want to become.”⁵² As to how I was supposed to advance that purpose, the approved course description was inspirationally vague. I was to “provide basic training in essential lawyering skills, introduce the values of the legal profession, and offer resources for early career planning.”⁵³ Oh, and I was to do that for the entire first year class.

1. Formulating Goals and Objectives

In collaboration with a very capable lawyer and colleague, Buck Lewis,⁵⁴ we had already added two courses to the upper level curriculum: Lawyers as Leaders in 2012 and Leadership Practicum in 2015.⁵⁵ The experience with the evolution of those courses provided a good foundation to plan for the new course. About the same time, I was re-reading *DRIVE: THE SURPRISING TRUTH ABOUT WHAT MOTIVATES US*,⁵⁶ by Daniel Pink. Thinking about the book and motivation theory, specifically self-determination theory, led me to do two things. First, I emailed Daniel Pink. I knew that he had attended law school, so I asked if he had any thoughts about how legal education might be modified based on his knowledge of motivation theory.⁵⁷ Second, I decided to revisit the work of Professors Sheldon and Krieger on law student well-being and delve deeper into self-determination theory.

Daniel Pink responded to my email with a number of very thoughtful, well-reasoned ideas. He suggested using the concepts of relevance and purpose to connect students more directly with the value, both short-term and long-term, of what they were learning.⁵⁸ For ex-

52. See First-Year Courses, <https://law.utk.edu/academics/first-year-curriculum/> (last visited Apr. 26, 2018).

53. *Id.*

54. George T. “Buck” Lewis is a senior partner with the Baker Donelson law firm, is a proud alumnus of the University of Tennessee College of Law, and serves as the Larry Wilks Distinguished Practitioner in Residence at the College of Law.

55. Course descriptions and syllabi of those course are available at <https://law.utk.edu/centers/leadership/curriculum/> (last visited Apr. 26, 2018).

56. PINK, *supra* note 18.

57. Specifically, I asked: “Have you ever given any thought, based on your work on motivation, about how law schools might be changed to produce more productive, fulfilled (dare I say happy) people?”

58. Email from Daniel Pink to author (Jan. 17, 2016, 10:31 EST) (on file with the author). For example, Daniel Pink suggested having students from the outset negotiate, draft contracts, interview, and engage in other skill-based exercises to see how the law they learn

ample, Daniel Pink suggested having students from the outset negotiate, draft contracts, interview, and engage in other skill-based exercises to see how the law they learn is applied in practice. Making the relevance more obvious helps promote the need for mastery or competence. Pink also suggested promoting autonomy by giving students some choice over experiential project work. Finally, and wisely, he suggested several strategies to diminish the importance and focus on grades.⁵⁹

After reflecting on my email exchange, my examination of self-determination theory, and my review of the important work of Professors Sheldon and Krieger, I developed four principles to guide the design of the Lawyering and Professionalism course.⁶⁰

1. Promote maintenance (or restoration) of the students' sense of purpose;
2. Support the students' sense of autonomy and control;
3. Reinforce the relevance of what is being taught and learn to promote the need for mastery; and
4. Directly address the students' well-being challenges.

Formulating these broad principles proved relatively easy. Figuring out how to implement them proved more difficult and remains very much a work in progress.

2. *Implementation*

At the outset, I needed to recast the course purpose to be more consistent with the guiding principles. The purpose, included in the curriculum, became “to help each student begin to chart a professional path that will ultimately lead to a fulfilling, satisfying career.”⁶¹ Second, I developed five specific course objectives: 1) to expose students to the myriad of professional opportunities open to law graduates; 2) to help students begin to understand what it means to be a lawyer; 3) to help each student decide the kind of lawyer they aspire to be; 4) to help

is applied in practice. Making the relevance more obvious helps promote the need for mastery or competence. In addition, promoting a student's sense of larger purpose—the why they came to law school issue—helps promote purpose and autonomy. Dan also suggested promoting autonomy by giving students some choice over experiential project work. Finally, and wisely, he suggested several strategies to diminish the importance and focus on grades. *Id.*

59. *Id.*

60. I also reworked components of our three upper-level leadership and professional development courses based on the principles.

61. The 2017 syllabus is available at <https://law.utk.edu/centers/leadership/curriculum/> (lasted visited Apr. 26, 2018).

each student develop a professional development plan to help chart a course toward becoming that lawyer; and, 5) to expose students to important values and skills to help them develop professionally and personally into successful, fulfilled professionals.⁶²

Based on experience from the upper-level leadership curriculum,⁶³ I identified six course themes or topics that I believed would best achieve the five course objectives *and* promote the students need for mastery, autonomy, and purpose: 1) leadership development, 2) professional planning and development, 3) mentoring, 4) future of the legal profession, 5) pro bono and public service, and 6) wellness. The six themes obviously overlapped. Several deserved specific, focused attention and time, e.g., leadership development, professional planning, and future of the legal profession. Others, I thought, could be effectively integrated with other topics and reinforced throughout the course, e.g., mentoring and wellness.

a. First Class: Setting the Foundation

My first challenge, regardless the course design, was to make sure that the first class was engaging, entertaining, and fun. Scheduled for the last day of orientation week, I knew the students would be excited and receptive, but tired.

I had also been asked to try and promote a sense of openness and inclusion among the roughly 120 students. The request presented an opportunity to help promote a sense of relatedness among the students. So, I started by having everyone get up and find a seat next to someone they had not yet met. I then asked each pair of students to interview each other and to learn answers to six questions relating to their background, career aspirations, and their feelings of excitement and fear about law school. We all then engaged in a lively, and often humorous, discussion about what they had learned about their classmates. In the process, the diversity and commonalities of the class were highlighted for everyone.⁶⁴

I also wanted, from the outset, to help students maintain their sense of purpose. So, the second part of the class focused on the students' "why" for law school. After discussing the wide variety of reasons the members of the class had for coming to law school, we talked

62. *Id.*

63. Syllabi for the three upper-level courses are also available at <https://law.utk.edu/centers/leadership/curriculum/> (lasted visited Apr. 26, 2018).

64. In reflection papers and in a post-course survey, a significant number of students stated appreciation for the opportunity to get to know students outside of their assigned section. *See infra* notes 88-93 and accompanying text.

about the importance of maintaining that sense of purpose as the semester progressed. I reinforced the point by showing a part of Daniel Pink's TED Talk about motivation.⁶⁵ I concluded by describing the pervasively narrowing influence of the first semester and encouraged each student to re-read their admissions statement frequently.

The class then turned to a discussion of how to succeed in law school. I turned the class over to two exceptional teaching assistants⁶⁶ to share their thoughts on surviving and thriving in law school. Each talked about their experiences and answered questions. The topic of grades was not a focus and was only mentioned in passing. Instead, without prompting, both students emphasized balance, the importance of friendships, and the value of classmate support. Over lunch,⁶⁷ three accomplished alumni discussed their unique career paths⁶⁸ and shared insights on law school and the profession. All three, again without prompting, implored the students to work hard but not to place too much emphasis on grades.

The class, according to a survey administered by a student teaching assistant, was well-received.⁶⁹ Student reflection papers submitted after the class suggest that the class reinforced three themes: 1) the importance of maintaining your "why" or sense of purpose; 2) how much the students had in common; and, 3) the need to combat the narrowing influence of law school, particularly through undue emphasis on grades.

The class was reasonably effective, at least for the first week, in supporting the students' need for purpose and relatedness. The class also provided a solid foundation for the rest of the course.

b. Leadership Development

Lawyers are constantly called upon to serve as leaders in a variety of settings.⁷⁰ Even law students experience the expectation from their non-lawyer friends and colleagues that their nascent legal training means they are ready to step in as effective leaders. But lawyers gen-

65. Dan Pink, *The Puzzle of Motivation*, TEDGLOBAL (Jul. 2009), https://www.ted.com/talks/dan_pink_on_motivation (last visited Apr. 26, 2018).

66. Sloane Davis and Charlotte Houser.

67. The class was designed to run forty-five minutes long, so providing food was essential.

68. The speakers included a sports agent, federal prosecutor, and large law firm partner. The career services staff jokingly has asked me to change the speakers for that class. Apparently, a very significant number of students decided to pursue the sports agent career path due to the class.

69. See *infra* notes 88-93 and accompanying text.

70. DEBORAH L. RHODE, *LAWYERS AS LEADERS* (Oxford University Press 2013).

erally receive little or no training in leadership development. Law schools are only beginning to recognize the value of leadership development, and only a few schools have begun to meaningfully address the need for leadership training.⁷¹

Not only should law schools embrace the need for leadership training for their students, but also recognize that such a curriculum is uniquely able to promote law students' need for a sense of autonomy and purpose. Effective leadership training is necessarily individually focused.⁷² In the University of Tennessee College of Law leadership curriculum, we break it down into three steps. First, we identify and examine the attributes of effective leaders. Second, we attempt to identify the skills needed to exhibit those attributes. For example, we discuss self-awareness, empathy, communication, listening, and a number of others. Third, the students participate in exercises designed to develop those skills.

While we discuss attributes and skills in a broad context, we emphasize that the most effective leaders utilize their own unique strengths and skills. In the first-year Lawyering and Professionalism class, because it is only a one-credit course, we focus in on one or two skills. For example, we focus on self-awareness as one of the most critical skills for effective leaders. As an exercise, students all complete both a Myers-Briggs personality type assessment⁷³ and an inventory of character strengths.⁷⁴ The class then engages in a discussion of how each student can use the assessment information to become more effective in personal interactions, communications, self-reflection, and leadership.

The individualized assessments and subsequent discussion are designed to develop leadership *and* support the students' need for autonomy. Because we also discuss the value and relevance of leadership during and after law school, a sense of purpose, both long- and short-term, is promoted. Finally, the use of exercises helps connect students more directly to the learning process, thereby serving the need for competence or mastery.

71. George T. Lewis & Douglas A. Blaze, *Training Leaders the Best Way We Can*, 83 TENN. L. REV. 771, 773-76 (2016).

72. *Id.* at 784.

73. See *Free Personality Test*, 16PERSONALITIES, <https://www.16personalities.com/free-personality-test> (last visited April 26, 2018).

74. See VIA INSTITUTE ON CHARACTER, <https://www.viacharacter.org/www/> (last visited April 26, 2018).

c. Professional Planning

To expose students to a wide range of career possibilities, the first five classes all include guest speakers, usually at the end of the class. All of the speakers, roughly fourteen to sixteen in all, come from a wide range of jobs. The group has included a business owner, sports agent, general counsel, large firm partner, small firm managing partner, trial judge, supreme court justice, public defender, prosecutor, retired corporate president, legal outsourcing professional, professional coach, and member of an online-focused trademark firm. Students also hear from other lawyers through extracurricular programming sponsored by the Institute for Professional Leadership.

With that exposure as a foundation, the next to last class is devoted to professional planning. After talking about the need to be intentional and plan with regard to a career, the class spends time talking about how to plan. The discussion is bifurcated into 1) planning to help decide what career path to follow, and 2) planning to pursue effectively a chosen career path. The class includes coverage of networking, credentialing, curricular planning, professional development, and personal development.

After the class, each student prepares and submits an Individual Development Planning Tool.⁷⁵ The planning tool has four sections: 1) values and passions; 2) skills and agility; 3) opportunities and environment, and 4) an action plan. The goal for students, long-term, is to find the “sweet spot”, or overlap area between their values, skills, and opportunities.⁷⁶ The “Values and Passions” section asks students to reflect and to answer several questions such as what they value most in life, what work experiences have been most fulfilling, what they want more of in their lives, and what they want less of in their lives. The “Skills and Agility” section requires students to identify their strengths, weaknesses, and attributes that have contributed to successes they have experienced, weaknesses that have hindered success, and their key skills. The third section, labeled “Opportunities and Environment,” has two parts. The first part encourages the students to think and write about the practice area of interest and the skills required to succeed in that practice setting. The second part asks the students to think and reflect in the same way on non-practice options of interest. Finally, the fourth section of the tool, the “Action Plan,” instructs students to identify concrete steps they will take toward the objectives identified in the

75. The Individual Development Tool is on file with, and available from, the author.

76. The tool is structured and based, in part, on a presentation by Louis Billionis, Professor and Dean Emeritus at the University of Cincinnati College of Law.

previous sections in terms of career development, professional development, and personal development.⁷⁷

I review each of the individual planning tools by the end of the semester⁷⁸ and provide brief comments, suggestions, or potential networking contacts to each of the students. I also forward each student's plan to our career center. The career center staff meet individually with each student during the second half of the fall semester. The sessions are designed to get to know the students, to help the students identify possible career options, and to outline the next steps to take to secure employment. The development planning tools provide critical information to the staff and ensure that the students are fully prepared for the meetings.⁷⁹

Professional planning helps meet the students need for both autonomy and purpose in several ways. First, the entire process focuses on the individual student and their values, interests, and aspirations. The process emphasizes the importance of a self-determined direction, rather than a reactive response to external factors. Second, the planning process helps students focus on their long-term purpose or, at least, encourages them to identify and to follow steps to help determine that purpose. Third, the process also helps emphasize the day-to-day relevance of much of what they are learning in other courses. The action plan encourages students to identify classes, subject areas, and experiential opportunities that will help them achieve their professional objectives. Finally, the entire process is internally, not externally, focused.

d. Future of the Legal Profession

The legal profession is undergoing significant and ongoing change due to a variety of economic factors including technology, globalization, and competition from non-lawyers.⁸⁰ I believe that legal educators have a responsibility to fully inform our students about that future and the forces driving the changes. Without that knowledge, students cannot meaningfully plan their professional futures. Educating stu-

77. The tool asks students to identify concrete steps they will take both short-term (one year) and longer-term (three years).

78. The course ends in mid-October, so I have two months to complete the review.

79. Students that take our upper-level Lawyers as Leaders course build on these early efforts. In Lawyers as Leaders, participating students draft a much more detailed professional development plan.

80. See generally BENJAMIN H. BARTON, GLASS HALF FULL: THE DECLINE AND REBIRTH OF THE LEGAL PROFESSION (Oxford University Press 2015) [hereinafter GLASS HALF FULL]; RICHARD SUSSKIND, TOMORROW'S LAWYERS: AN INTRODUCTION TO YOUR FUTURE (Oxford University Press 2013).

dents about the issues and challenges can help reinforce a sense of autonomy or control over their professional futures and assist in maintaining their sense of purpose.

To that end, the Lawyering and Professionalism course includes a session on the future of the legal profession a week before the class on professional planning. Fortunately, I have a good friend and colleague, Ben Barton, who is an expert on the topic and an exceptional teacher. The reality that Professor Barton presents is admittedly negative, e.g., tight job market, stagnant income for solo and small firm practitioners, competition from non-lawyers, etc.⁸¹ But, more important, he also identifies for the students the considerable opportunities presented by the dynamic change. For example, he examines with the students the success of lawyers that are beginning to leverage technology to expand parts of the legal market and to increase efficiency. Professor Barton also explains his view of the skills needed to take advantage of those opportunities, and how those skills are unique to the present generation of law students. Based on the course survey and student reflection papers, the vast majority of the students appreciate and understand the importance of the class topic.

e. Mentoring

Mentors are essential to facilitate truly effective professional development.⁸² That point is reinforced throughout the Lawyering and Professionalism course in reading materials, discussions of leadership development, and by almost every guest speaker. In the leadership context, we present mentoring as a critical component of enhancing self-awareness, an essential leadership skill. I emphasize the need for multiple mentors, or as one speaker says, a personal board of directors that changes over time. Finally, the Director of Career Services solicits student participation in the college's formal alumni mentorship program.⁸³

Mentoring can help students more directly connect, early in their law school experience, to their future profession. That connection can help support a sense of purpose. Mentoring can also help combat the narrowing of perspective so common to law students. As a result, student well-being can be enhanced. In fact, my colleague, Brad Mor-

81. See GLASS HALF FULL, *supra* note 80, at 33-129.

82. See generally R. Brad Morgan, *Lessons for the Journey: Profession and Participants Benefit from Mentoring*, 51 TENN. B. J. 14 (Feb. 2015).

83. See *Mentoring Program*, U. OF TENN. KNOXVILLE, <https://law.utk.edu/centers/mentoring/> (last visited Apr. 26, 2018).

gan,⁸⁴ administered the survey instrument developed and used by Professors Sheldon and Krieger to a cohort of law students at our law school.⁸⁵ He added one question: “Please check this box if you participated in the mentoring program this year.” The study concluded that “the mentoring program overwhelmingly impacted the students’ views, attitudes, and goals in a positive fashion.”⁸⁶

f. Pro Bono and Public Service

Encouraging student participation in pro bono and other public service activities during law school has the potential to significantly contribute to the students’ well-being. First, there is the potential for an immediate, direct emotional benefit. Empirical research has established that the most effective way to increase positive emotion, and thus a sense of well-being, is to help others.⁸⁷ Second, engaging in pro bono activities can help students maintain a larger sense of purpose. A significant number of law students enter law school with a desire to help others or improve their community in some way. Serving those in need helps offset the previously discussed narrowing influence of law school.

I do not, however, include a specific discussion of pro bono work or access to justice more generally in the first-year course.⁸⁸ Pro bono opportunities, however, are promoted through the orientation program and extra-curricular information sessions. So I, and many of the guest speakers, reinforce the value of participating in the program.⁸⁹ I also make announcements at the start of each class about upcoming pro bono activities.

g. Wellness

While the course is designed, in part, to help promote well-being, I also consider it important to address the topic intentionally. In doing so, I have two objectives. First, I want to identify resources, and en-

84. Director, Bettye B. Lewis Career Center.

85. Morgan, *supra* note 82, at 18.

86. *Id.*

87. E.g., Francesca Borgonovi, *Doing Well by Doing Good: The Relationship Between Formal Volunteering and Self-Reported Health and Happiness*, 66 SOC. SCI. & MED. 2321 (2008).

88. An entire class is devoted to those topics in our upper-level Lawyers as Leaders class.

89. Fortunately, our law school has a very robust pro bono program. See *UT Law Class of 2018 Serves More Than 11,000 Pro Bono Hours During their College Careers*, U. OF TENN. KNOXVILLE (Apr. 9, 2018), <https://law.utk.edu/2018/04/09/ut-law-class-2018-serves-11000-pro-bono-hours-college-careers/> (last visited Apr. 26, 2018).

courage their use, when students are struggling. The issue of student reluctance to seek help is a significant challenge that I try to address through open discussion.⁹⁰

Second, I attempt to provide tools to students to help directly combat the stress and anxiety that so many of them experience. Specifically, the class exposes students to the basic principles and tools of positive psychology,⁹¹ following in the footsteps of a number of others.⁹² I am fortunate (again) to have a very talented collaborator, Candice Reed, who is an accomplished lawyer, consultant, and an alumna of the University of Pennsylvania Master's in Applied Positive Psychology program.⁹³ Candice explains the research behind positive psychology to the class and then, most importantly, provides students with specific, empirically validated strategies they can use to increase their optimism and positivity. The class is exceptionally well-received.

h. Assessment

The course, like all other courses taught at Tennessee, is subject to evaluation by the students through an online university-wide process. The questions, however, are very broad and the response rate rather low.⁹⁴ As a result, my exceptionally creative teaching assistant, Sloane Davis, constructed and administers a more specific survey instrument at the end of the course.⁹⁵ The survey questions are more specifically tailored to the course and the response rate is higher.⁹⁶

The questions, while not directed specifically at wellness or autonomy, purpose, or mastery, do provide some useful information

90. See *Suffering in Silence: The Survey of Law Student Well-Being*, *supra* note 47, at 140-45 (data on student reluctance to seek help or assistance). The reality is however, that a truly open discussion is nearly impossible to achieve in a class of 120 or more.

91. See generally Martin E. P. Seligman, *FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING* (2011).

92. See, e.g., Peter H. Huang & Corie R. Felder, *The Zombie Lawyer Apocalypse*, 42 *PEPP. L. REV.* 727 (2015); Nathalie Martin, *Think Like a (Mindful) Lawyer: Incorporating Mindfulness, Professional Identity, and Emotional Intelligence into the First Year Curriculum*, 36 *U. ARK. LITTLE ROCK L. REV.* 413 (2014); Todd D. Peterson & Elizabeth W. Peterson, *Stemming the Tide of Law Student Depression: What Law Schools Need to Learn from the Science of Positive Psychology*, 9 *YALE J. HEALTH POL'Y L. & ETHICS* 357 (2009); Deborah L. Rhode, *Personal Satisfaction in Professional Practice: Foreword to Symposium on Perspectives on Lawyer Happiness*, 58 *SYRACUSE L. REV.* 217 (2008).

93. See *Candice Reed Consulting*, http://candicereedconsulting.com/Home_Page.html (last visited Apr. 26, 2018).

94. For Lawyering and Professionalism, the response rate has ranged from thirty-one percent to forty percent.

95. The class ends mid-term. The university evaluation system is administered at the end of the semester.

96. The response rate was seventy-two percent for fall 2016, and fifty-seven percent for fall 2017.

about the possible impact of the course.⁹⁷ The instrument asks students to strongly agree (5), agree (4), neutral (3), disagree (2), or strongly disagree (1) with statements about the course. The results of the pertinent parts of the survey are as follows:

	<u>Fall 2016</u>	<u>Fall 2017</u>
1. Useful to future as a professional	4.25	4.21
2. Better sense of how to plan career	4.06	3.81
3. Better sense of career path	3.60	3.37
4. Learned about lawyering careers	4.25	3.96
5. Became closer to classmates	3.91	3.91
6. Learned about self on personal level	3.56	3.41
7. Learned about self on professional level	3.73	3.62 ⁹⁸

Based on these data, we are working to revise the course. We are also developing a new survey to assess better the impact on student motivation, satisfaction, and well-being during and after law school. The survey will be administered to all students that have completed one of the leadership and professional development courses over the past seven years.⁹⁹

IV. CONCLUSION

Leadership and professional development courses, particularly when combined with extra-curricular programming, can serve as an important antidote to the negative impact of much of the traditional legal education on satisfaction of the student's psychological needs. If designed and structured intentionally in light of the students' needs, these courses and programs can help improve the well-being of our students. But we have much to learn. A key component will be to assess better the impact of our efforts on the related issues of professional development, career satisfaction, and personal well-being. While many of us are just getting started on this journey, the potential for future generations of lawyers should be a good bit brighter as a result.

97. The surveys and results are on file with, and available from, the author.

98. *Id.*

99. Our present plan is to begin to distribute the instrument to course alumni in the summer of 2018. †