

A Healing Hand

By Lynn Patrick Ingram

Like many lawyers, Anne Brafford got burned out.

“After nearly 20 years in the profession, I had a deteriorating sense of meaningfulness in my work,” she said.

But instead of simply leaving the profession, she was determined to help heal it.

She opened Aspire, an educational and consulting firm for the legal profession. Aspire’s focus is on “the many aspects of law firm culture that boost engagement and well-being and buffer against burnout, such as meaningful work, positive leadership, high-quality motivation, resilience, advancement of women lawyers, and more.”

Thus far, she says, the results have been positive, although much work remains to be done to change the culture.

“Because we’re all in this together, shifting the paradigm will take commitment from the entire profession,” she said.

Brafford recently explained to me how she plans to do her part.

Tell me about your business

I educate and consult with the legal profession (especially law firms) on how the application of organizational science can help the profession build cultures in which firms and lawyers succeed together.

Why did you leave the practice of law and open Aspire?

I have enormous respect for the legal profession and much pride in having had the opportunity to be a lawyer for so long—a profession I first said I wanted to join

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when I was 11 years old because I saw it as providing a pathway to having a positive impact on the world. After nearly 20 years in the profession, I had a deteriorating sense of meaningfulness in my work. I began to pursue science for explanations and tools to help lawyers build long, fulfilling careers that felt meaningful to them.

What are the biggest problems facing lawyers and law firms today?

They face many challenges; I focus on issues related to organizational psychology and well-being. Historically, the legal profession has not focused much on how to alleviate the psychological burden faced by many lawyers. Many attorneys work hard and take on hefty responsibilities that often have major consequences for their clients. Chronic demands can mount and threaten well-being. The legal profession’s culture admires strength and independence and stigmatizes psychological distress and help-seeking—with the result that few lawyers who need it seek help. When we ignore signs of distress, the quality of our work and lives can plummet. For too many lawyers, this is what already has occurred. A 2016 survey led by the Hazelden Betty Ford Foundation of nearly 13,000 currently practicing lawyers found that between 21 and 36 percent qualify as problem drinkers, approximately 28 percent experienced some

level of depressive symptoms, and 18 percent experienced elevated anxiety. There also is evidence of suicide, work addiction, sleep deprivation, job dissatisfaction, a “diversity crisis” at the top of firms, work-life conflict, incivility, a narrowing of values so that profit predominates, and chronic loneliness.

From an organizational science perspective, law firm cultures are not designed for long-term well-being. Many are driven by short-term profitability goals that prioritize profits over people. I don’t mean to suggest that law firms should not focus on making money—they are businesses that employ hardworking, talented people who want to earn a nice living. But studies repeatedly have shown that organizations with such narrow values will foster overly competitive, dehumanized cultures. Well-being challenges are not limited to law firms, however. As a whole, the profession has work to do to foster a culture that enable lawyers to thrive.

How would you define the scope of the well-being problem?

It’s an institution-wide challenge. Everyone in the legal profession contributes to its culture, which can either support or harm our collective health and happiness. This makes lawyer well-being a collective responsibility—a team sport to which we all contribute. Also, the focus cannot be just on rooting out illness but also on creating a vision and strategy for achieving a thriving

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—Aspire founder Anne Brafford



profession. The majority of lawyers do not have a diagnosable disorder, but that doesn't mean they're fully well.

What components of lawyer well-being are of greatest concern or the most challenging to approach?

It's a complex challenge so there are many possible answers. I'll focus on two.

First are alcohol-use disorders. If there is a lawyer well-being crisis, this appears to be the most urgent and it is especially an issue for men. The 2016 survey I mentioned earlier reflected that for all lawyers, 21 percent were at risk for problematic drinking. For lawyers under 30, it was 32 percent (this is about five times greater than the non-lawyer population). According to the survey, the problem is most prevalent in men under 30 in law firms. Also, on average, men had significantly higher depressive symptoms than women (3.67 vs. 3.34 percent). Women were higher in stress and anxiety, but men were higher in depression. Overall, depression was highest in the 31–40-year-old range.

Second is the lack of hope that things can really change. The issue here is a lack of clear vision of what a thriving law career looks like across the range of practice areas. We need to be able to show that more lawyers can do this job long term in a way that sustains their health and happiness. I've talked to many lawyers during my research, and a large percentage say that being a lawyer is a horrible job and, worse, they have little hope that it can change. It is a basic principle of psychology that unless people believe they can overcome obstacles to achieve their desired results, they won't even try. We need to build hope that change is possible and provide resources for doing so.

What are the biggest challenges you face when going into a firm that needs your help?

One of the biggest challenges is that firms' structures and incentive systems are oriented almost entirely toward revenue generation and billable hours. As a famous article in the organizational sciences has argued, firms frequently make the mistake of "rewarding A while hoping for B." Firms hope, for example, that partners will de-

velop into effective leaders who mentor, create healthy cultures, and model and support well-being, but firms primarily reward revenue generation and billable hours. People have limited time and mental bandwidth. They will pay the most attention to what is rewarded, recognized, and incentivized and the rest will fall by the wayside. Firms that truly want to transform their cultures will need to transform their structures and incentives so that they support a broader set of values.

What industry-specific barriers do you see for managers and employees?

I'm not sure that many of the barriers are industry specific. But here are a few thoughts.

First, lawyers are largely an achievement-oriented group, geared toward perfectionism and self-criticism. Self-care is not generally a priority. We need to respect our humanity and actively care about our own health and happiness.

Second, people who have benefitted from the current culture will resist change. Leaders of organizations who feel they survived the gauntlet of the current system and are now reaping its benefits will worry that changes might lessen their rewards or create a culture that is different from what they're comfortable with. As such, the challenge will be to inspire them to see a new vision in which they still will benefit and also positively impact others.

How do you go about shifting the paradigm?

Because we're all in this together, shifting the paradigm will take commitment from the entire profession. We are interdependent—lawyers, judges, clients, and other key stakeholders all contribute to the legal profession's current culture and all are affected by it. It also will require an acknowledgement that the problems can't be fixed solely by making individuals more resilient to stress. I enthusiastically support all well-being efforts across the profession, which have focused largely on individual-level strategies such as meditation and healthy lifestyles. This is an important first step. To achieve real change, though, the profession will need to keep pushing forward on innovations that alter the professional and workplace cultures that contribute to individual-level problems.

Has your service been well received?

The interest in well-being has grown exponentially across the legal profession. As with any type of change, though, law firm well-being efforts are on a continuum, with some led by "true believers" and others that are satisfied with credible window dressing. My services include individual well-being strategies, organization-level systemic initiatives (e.g., engagement, positive leadership), and retention and advancement of women lawyers. Many firms have engaged me to work with them in one or more of these areas.

The well-being movement is still too new to say what has "worked"—and, honestly, the profession still needs to define what that means. What would a fully thriving law firm and profession look like? What will law firm leaders and current equity partners (who hold the power) need to do to achieve that vision? What about clients? How about judges and others who have an enormous impact on lawyers' schedules and daily work lives? We need a collective vision to guide us. We need goals to measure and evaluate progress toward that vision. We are still at the very beginning stages of that challenging process.

What I can say, though, is that I have gotten positive feedback from many people who have read my book, *Positive Professionals*,¹ or have heard me talk about thriving in the profession. I know that my message is having a positive impact on many individuals—and to that extent I can confidently say it's "working." Poet Victor Hugo is quoted as having said, "Nothing is more powerful than an idea whose time has come." I think this explains the energy behind the current well-being movement. ■

Note: This interview has been lightly edited for clarity.

Lynn Patrick Ingram, Esq., is publications development manager and legal editor at the State Bar of Michigan.

ENDNOTE

1. Bradford, *Positive Professionals: Creating High-Performing Profitable Firms Through the Science of Engagement* (Chicago: ABA, 2017).