Odds are, if you are reading this book, you’re not as happy with your job as you’d like to be. (If you’ve got the perfect job, congratulations—pass this book on to a friend who can better use it.) You’d probably like to know what you can do to become a happier lawyer. You’ve come to the right chapter.

This chapter will give you the tools you can use to build a happier practice or repair an unhappy one. As is usually the case with a toolbox, some of the items in it might be well-suited to a particular job while others might not. Look through the collection of tools we offer, and see which of them seem promising for your own situation.

The source of career unhappiness can be the nature of your job, or it can be the nature of you, but it is almost always a combination of both. What might be a very good job for someone with a particular personality just might make you miserable. But also, as we’ll see, there are characteristics of certain jobs that are virtually guaranteed to undo the smile of any human being with a pulse.

People are more similar in their basic likes and dislikes than many people suppose. What makes you happy in a job most likely would also make your neighbor across the street happy.
THE FACETS OF CONTROL

What are these several facets of control? One comes when you feel that you’ve achieved an appropriate balance between the demands of your job and the demands that come from being a parent, spouse, relative, or friend. A sense of balance also requires that you take care of your own emotional needs, whether by simply making time for beers after work with colleagues, catching that new episode of your favorite television show, or fitting in an after-work golf game on an inviting May evening. How often on a late Friday afternoon have you seen your plans to catch your kid’s school play or have dinner with friends all go up in smoke? That motion for a summary judgment has to be filed before the courthouse closes and you still have three voice messages and seven e-mails that need some sort of response before you’re out the door. “Work-life balance?—you’ve got to be kidding!” It’s what everyone you know talks about, but no one in your office seems to have. We feel the demands of life are pulling us along and that our own internal compass is helpless to determine our direction.

A sense of being out of control is commonplace today, especially in the large firms, where career dissatisfaction is the greatest. Seventy percent of lawyers in an American Bar Association (ABA) study said that “wanting more time with family” is a reason that might justify leaving one job for another. Nearly 20 percent of lawyers are “not at all” happy with the work-life balance in their present employment. Women, unsurprisingly, are far more likely than men to complain about the stress work is placing on their family life.

A second key aspect of control in the workplace is job security. Peter Warr, a British professor who has extensively studied job happiness, identifies a sense of job security as one of the twelve most important keys to worker happiness. Worrying about whether the next slip to cross your desk will be pink, it seems, is incompatible with happiness. Nothing is really secure
in this world except the prospect of death and taxes (and perhaps, therefore, the jobs of probate and tax attorneys), so all levels of job security are relative. Relatively speaking, however, lawyers in large firms may feel their jobs are less secure than those in smaller firms. Your job in a two-hundred-person firm might well depend upon the whim of a single supervising attorney, the decision whether your firm merges with another mega-firm, or whether an important account picks up and leaves. Although smaller firms also have job security issues, notably attracting enough business to stay afloat, colleagues who know you well are less likely to show you the door.

A third aspect of workplace control depends on believing that your contribution matters. As Daniel Gilbert succinctly notes, “Mattering makes us happy.” Unfortunately, this sense of mattering through one’s work is relatively rare today. Punset observes, “What now prevails is a growing feeling of powerlessness to influence the product, the company, society, or what is going on in the rest of the world.”

A sense of mattering, in turn, has varied sources. It can come from supervisors or colleagues praising your work, or at least letting you know that what you did was important. It can come from your clients—their sense of relief (and, one hopes, gratitude) from winning a favorable verdict, having a deal close successfully, or getting that speeding violation off of their motor vehicle record. Study after study shows job feedback to be critical to happiness on the job. Not all feedback is equally likely to produce happiness, of course. The most unambiguous feedback is generally the most appreciated. When we’re doing something wrong, we prefer to know exactly what that is, so we have the best chance of making the necessary adjustments.

Not all law jobs are equally likely to produce a sense of mattering. The ABA’s 2007 survey of lawyer satisfaction found that public sector lawyers, the group most satisfied with their professional lives, were also the lawyers most likely to feel appreciated.
in the workplace. Seventy percent of all public sector lawyers felt that way.\textsuperscript{9}

A sense of mattering can also have an internal source. You might know—and no one needs to tell you, but it wouldn’t hurt—that what you do has real consequences for real people you care about. It’s when we don’t give a damn what happens to the people affected by our work, or don’t see our work as affecting anyone in particular, that we grow dissatisfied. We want to feel our work has some purpose beyond simply bringing home the bacon. Some of us are more capable of realizing these internally generated rewards than others, who seem unhappy without recognition from other people.

Finally, a sense of control can come from, not surprisingly, the number of opportunities in the workplace to control things. These things can relate to the content and timetable for a work product. Lawyers tend to feel happier when they can decide which file to pick up and which to put on the back burner, which paragraph should be deleted to reduce the brief to the maximum length allowed by the court, or who should be deposed this Tuesday and who the following week. People in first-chairs in the courtroom are generally happier than those in the third-chair.

Unfortunately for lawyer happiness, our adversarial system of justice places the parties, and not you, in ultimate control of cases. You might want to settle and get the stinking file off your desk, but that’s not acceptable to your client bent on a measure of justice. You might think a paragraph you wrote in a contract was a stroke of brilliance, but your client might think otherwise and want it out. You might want to spend a day leisurely exploring an interesting angle of your client’s civil case, but your client might not have the deepest of pockets and wants to reign in your billable hours. The system is what it is, and you are never going to have the freedom of a novelist. Accept what you cannot change, as the serenity prayer urges.

Finally, personal control also means the ability to alter one’s work environment. Is it okay to put a valued family photograph
on your wall? Will anyone complain if you bring in a comfortable chair, move your desk, or change the lighting in your office? The more power you are given to affect your own working environment, the happier you will be. One commentator notes, "Small freedoms... are very good for satisfaction."\(^{10}\)

**GETTING CONTROL**

If control in its many senses is so central to happiness, then giving lawyers more control over their work lives should be one of the highest priorities—maybe the highest priority—for a firm. Work-life balance issues, according to ABA surveys, are a leading cause of stress among lawyers. More generally, the tilt toward long workplace hours in the United States may explain why happiness levels in this country have stagnated since 1975 while rising in increasingly laid-back Europe. While the average American puts in about 2,000 hours a year at work, the average Dane, Italian, or German works less than 1,700 hours a year.\(^{11}\) Working 15 percent fewer hours, and spending the additional time socializing or beachcombing, could give a much-needed happiness boost.

For some workaholics, however, dialing back the hours at the office might actually increase distress. As psychologist Jerome Kagan notes, once people establish an association between hard work and rewards, it is hard to break. For the person whose diligence paid off first with a good college experience and then with the landing of a high-paying job, the link between work and reward might have become hard-wired.\(^{12}\)

One good thing about law firms is that they are filled with smart people. People who are certainly bright enough to identify ways, beyond the first step of reducing the required number of billable hours, to give lawyers in the firm a better sense of control. Depending on the firm’s goals and economic situation, a wide variety of changes might be considered. A partial list might include offering flexibility in hours and work location,
allowing lawyers to bring children to the office, providing lawyers flexibility in choosing clients and work assignments, letting lawyers choose how they approach and complete work products, and encouraging lawyers to alter their personal work environments—lighting, hangings, furniture—to suit their own taste and work style.

If you are a lawyer whose firm seems unable or unwilling to give you the control you need, a change of jobs might be the best option. The firm down the street might accept your proposal to shift to part-time work or a more flexible schedule. A smaller firm might promise you greater control of your work product and work environment. Of course, a solo practice offers the maximum degree of control—perhaps even too much control, if promotion and marketing is not your strong suit. In short, consider what aspects of control are most important to you, and then determine where you are most likely to gain it. Control of your life is just too important to give up without a fight.

IT COULD BE WORSE: THE JOY OF DOWNWARD COMPARISON

Max, who knows barely half of what you do about corporate law, commands a gorgeous view of the Quatzawatamie River from his corner office. You look out over the backside of the Acme Building. Jane, who didn’t even make law review at Middlebrow, earns $10,000 more per year than you—you, the former articles editor at a law school that U.S. News & World Report proclaims to be one of the five finest in the land. These things gnaw at you. The injustice of it all! How can the firm’s managing committee be so clueless? You’d prefer to focus on the tasks at hand (that memo on Snerk v. Google needs to get out soon), but your mind returns to that corner office or that extra ten grand that should be yours.

You are suffering the pains that come from upward comparisons.
*** As we indicated in chapter 2, earnings have little to do with happiness once they rise above middle-income levels. When per capita incomes in the United States shot up 300 percent from 1970 to 1990, there was no increase in the happiness of Americans. Money really can't buy much happiness.

Relative income, however, matters much more to people than absolute income. Being in a higher social class does correlate with increased levels of reported happiness. The nonincome benefits of being in a higher social class, such as increased status in workplaces and leisure places, seem to make people happier. People who perceive themselves as being in lower social classes are people who most often make upward comparisons—and get grumpy when they do. It grates to see their neighbors and colleagues doing much better financially than they are. In the terminology of British economist
Whether the question is the amount of compensation, the size of offices, or plum case assignments, it is human nature to compare our situation with those around us. When we compare ourselves to persons better off than us, we are unhappy because, as Sonja Lyubomirsky observes, “You can’t be envious and happy at the same time.” On the other hand, if we find our fate better than our comparison group we tend to be happier. So happiness turns in part on the group we choose for comparison. Bigger fish in smaller ponds really do turn out to be happier—consider that the next time you are deciding where to go for a swim.

Of course, it is no simple matter. You cannot just choose a group to downward compare against and then get happier. To some extent, our genetics and our upbringing will force comparisons—either upward or downward—on us. Nonetheless, we are not powerless to affect our choice of comparison groups. We tend to compare ourselves most against persons with whom we spend a lot of time, so by hanging around those less fortunate than ourselves, we set up more opportunities for downward comparisons.

We spend a lot of time working, especially Americans who work longer hours than people in just about any other country. Who we choose to work with, and who we choose to work for, are choices. We could have been undertakers or roofers or nurses or architects.
We chose to be lawyers. Moreover, we decide to be small-town lawyers or big-city lawyers, immigration lawyers or securities lawyers, solo practitioners or associates in three-hundred-member firms.

Survey data suggest, as previously noted, we might well have been happier had we chosen one of the nurturing occupations: social work, nursing, physical or mental therapy, or Peace Corps work. The higher-than-average happiness levels reported by people with those jobs most likely has a lot to do with the opportunities those occupations afford for downward comparisons: “I might have problems and my pay is low, but I’m not a single mom on drugs, quadriplegic, crazy, or stuck in a malaria-infested third-world nation for the rest of my life.” People with those jobs are more inclined than the rest of us to see their own lives as half-full bottles, not half-empty ones.

All this suggests one way in which lawyers might increase job satisfaction: begin spending more time working for clients who have at least a few more problems than you do. Along with the positive feeling that comes with helping acts, you’re likely to come home feeling better about where life has taken you. Yes, there is some status that comes with churning out the billable hours for zillionaires who want a few more zillions than the next zillionaire—but odds are you’ll be a little happier helping Farmer McDonald save the family back forty from the I.R.S., helping that well-intentioned Latin family obtain citizenship, or making sure that the little boy crushed by the falling anvil will get his medical expenses paid for by ABC Anvil Company (or whatever negligent bastard let loose the anvil). On the whole, careers in elder law, social security law, personal injury law, and immigration law—where you can make a direct contribution to other people’s lives—produce more job satisfaction than careers spent defending companies whose sole goal is to maximize profits. Somebody has to defend pyramid schemers and monopolists, but it doesn’t have to be you.

There’s another way to increase the likelihood of downward instead of upward comparisons. You could become the proverbial
bigger fish in the smaller pool. Because size is relative, you’ll feel
deeper in the small pool and feel just a little happier when you think
of yourself swimming along with all those smaller-finned creatures.
Instead of taking that higher paying job at the prestigious firm of
Thurston, Howell & Gilligan, how about accepting that slightly
less lucrative offer from the seven-person firm in your hometown?
If you really want to build a life of it in Metropolis, you still have an
array of choices—and you don’t have to opt for the one that would
most impress your fellow alums at the next law school reunion.
You might be less smug once every five years, but happier day-
to-day as the go-to lawyer in the somewhat less power-lunching
firm. Sure, you might also have moments of daydreaming misery
when you imagine the good life (which isn’t really that good)
of classmates in those high-paying prestigious jobs, but you’re
not getting corner-office envy every time you trot to the water
cooler.

There’s one last way of increasing the likelihood of downward
comparisons, at least for those lucky enough to be in a firm that
provides such opportunities. You can volunteer for pro bono work
that will increase your contact with persons whose problems seem
vastly larger than your own. Survey data show that increased pro
bono work correlates with increased levels of happiness. Besides,
the volunteer work you do is likely to be a departure from your
typical tasks, and the data is clear that when we look at back at life
from our rocking chairs a few decades hence, the odds are much
greater that we will regret more the things we didn’t do than the
things we did. Do good, and be happy.

REAPING THE REWARDS OF RELATIONSHIPS:
IT’S THE PEOPLE, STUPID

Without social connections it’s next to impossible to be happy. In
fact, according to one happiness expert, about 70 percent of our
controllable happiness stems from relationships. We could debate
whether control or connections is the most important determinant of happiness levels, but there is little disagreement that they are the two biggies. We not only define ourselves in terms of our social ties, we also derive much of the meaning in our lives from those ties.

It should come as no surprise that your fellow human beings can be a source of happiness. People need people. Ever since writers have been putting words on papyrus, the praises of close relationships have been sung. “Of all the things that wisdom provides to help one live one’s entire life in happiness,” wrote the Greek philosopher Epicurus, “the greatest by far is friendship.”

Next to sex, socializing is the activity that makes us happiest. Interaction with friends gives us the biggest happiness boost, followed by time spent with spouses and children. We do not, as a general rule, enjoy interaction with co-workers and clients quite as much as our time with close friends and family, but it still beats—by a wide margin, according to a survey of workers—interaction with supervisors and, especially, time alone on the job.20 Most people like to be in contact with others much of the time, and for the 75 percent of Americans who are extroverts, this is especially true. Contact with others, both in quantity and quality, has been identified as one of the twelve factors most important to job happiness.21 This explains why one of the reasons that losing a job is so devastating; it severs the relationships with co-workers.

Although socializing is our most common pleasure-inducing activity, working ranks near the bottom on the same scale. Working falls below exercising, eating, shopping, worshipping, watching television, and even (believe it or not) housework. Among daily activities involving significant amounts of time, only commuting makes us less happy than working.22 If socializing makes us very happy and working does not, one might wonder whether the workplaces that provide the most opportunities for interaction—even if the interaction is less satisfying than raising toasts
with your buddies on a Friday night—tend to be the happiest? It turns out that they are.

**CAN LAWYERS CONNECT?**

The workplaces that produce the highest levels of happiness tend to be those where workers deal directly with other people. The deeper the connections between co-workers or people served on the job, the happier a worker generally is. When it comes to recruiting new associates, law firms understand the critical role that positive interaction with co-workers plays. As a summer intern, you are feasted, trotted out to luxury suites in ballparks, toasted in pubs, loaded into kayaks, and provided with a host of other bonding opportunities. Too often, unfortunately, when you join the associate ranks, the tool that worked so well to make you happy as an intern is forgotten.

The depth of job-related relationships may explain why, when 27,500 randomly selected people were asked to rate their jobs, the happiest of occupations turned out to be the clergy. Two of every three clergy reported being “very happy” as opposed to an average of just one out of three for all workers. One key reason for high levels of happiness among clergy is the opportunities the job provides for close personal connections. Jackson W. Carroll, a professor at the Duke Divinity School, had this explanation for the poll results: “A pastor does get called on to enter into some of the deepest moments of a person’s life, celebrating a birth and sitting with people at times of illness or death. There’s a lot of fulfillment.”

Lawyers rarely find it within their job description to celebrate a client’s newborn or hold hands with a client on her deathbed. Clients often do, however, call on lawyers during periods of difficulty and crisis—as any divorce, personal injury, probate, or criminal lawyer could attest. These encounters can sometimes be intense. They probably do not produce the same happiness benefits
as the clergy experiences during important passages because the lawyer and the minister have different goals. The minister focuses on establishing a bond that can enhance the church member’s sense of peace and well-being. The lawyer, in contrast, usually aims at meeting a more immediate, and often monetary, goal of the client. Those lawyers who develop personal bonds with clients, even while serving clients’ pressing legal needs, tend to be happier lawyers than those who do not. Lawyers in public service positions report higher career satisfaction levels than other lawyers, and part of the reason might well be the greater client contact those jobs usually afford.

Everybody Needs Somebody Sometime

For many who practice law, the deeper connections established in the workplace are likely to be with fellow lawyers rather than with clients. The quality of those connections is closely linked to our happiness. Everyone longs to belong. We want to be welcomed into a tribe and learn the secret handshake; we want to be accepted. It is not surprising, therefore, that we seek to spend time “with people who like us and are like us.”

If your law firm colleagues share your interests and values, and they enjoy your company, you are more likely to be among the lawyers reporting themselves to be happy. The odds increase further if your firm is one that doesn’t think building human connections is just for summer recruiting but instead provides numerous opportunities for interaction with colleagues, whether through collaborative work projects, brown bag conversations in the lunch room, or office parties and firm softball games. Robert Putnam observed in his important book, Bowling Alone, that social connections are fraying in our cocooning modern world. The more a firm can do to rebuild some of these connections, the better it and its workers are likely to be for it.
You can do your part for the bonding process. Expressing gratitude has been shown to be especially rewarding, both for you and the person on the receiving end. Whenever a colleague offers helpful advice, performs a favor, or just makes a contribution to the firm's greater good, let that person know their gesture was appreciated. Handwritten notes are better than e-mails.

An ABA survey of lawyers suggests that smaller firms are happier places than large firms. This finding is consistent with other survey data involving nonlawyers and the size of workplaces. Smaller is usually better. But why?

The answer likely has a lot to do with trust. Survey after survey show trust is critical to happiness. Loss of trust in a personal relationship, such as might come with awareness that a spouse is having an affair, is devastating. Workers who trust their co-workers tend to be happiest.

Among all nations, the ones where citizens have the most trust in their government and their fellow citizens—including Denmark and Switzerland, the world's two happiest countries—are also the happiest. The quality of a society seems to have a much greater effect on personal happiness than an individual's specific role in that society. What goes for countries probably goes for workplaces as well. Where a sense of trust exists, workers are most likely to be happy.

Smaller workplaces are more conducive to trust building than large workplaces. Trust is something that develops over time. It comes from positive engagement, especially when co-workers share stories and keep their promises. In a large firm setting, where you might not work on two projects in a year with the same colleague, trust can't develop as it can in a smaller workplace with more regular interaction between colleagues.

Obviously, however, small firms are not for everyone. If, for financial reasons or reasons relating to specialized expertise, only larger firms are viable options, then investigate the quality and
quantity of interaction the firm will afford. Find out whether the firm has a high turnover rate—high turnover makes it next to impossible to build trust. Try to determine whether you are likely to spend the majority of time in “a firm within a firm”—working as a member of practice group with a specific mission and a nonrotating set of colleagues. Learn about firm culture: Do lawyers know each other’s names? Do lawyers and staff hit it off? How common are water cooler conversations, retreats, collaborative work, group lunches, and social events? Does the firm provide a sense of play? How much emphasis is there on billable hours? Clearly, some big firm experiences provide better interaction than others.

COMMIT

A firm with satisfying levels of interaction that promote trust will, over time, produce another great good. It will allow you to feel a sense of commitment to the larger enterprise. Without commitment, you’re mostly just spending time. You cannot, it has been noted, love either a person or a place or a job with a foot out the door. Just as with marriage or other long-term love, career satisfaction over the long haul requires adjustments and compromises.

Lawyer career coach Hindi Greenberg deals often with mid-career boredom: “The first couple of years, it’s exciting to say, ‘I’m a lawyer.’ You carry a big briefcase and even the minutiae are new and exciting. But then the routine sets in.” In addition to trying to do more of what they do like at work, Greenberg advises lawyers to make “a change in attitude”: look at “the glass as half-full” and “get over it.”

No job is perfect. Lawyers spend a lot of time reviewing documents, filing motions, and pushing paper or electronic files. Newly appointed Supreme Court Justice Sonia Sotomayor reminds us, “The vast majority of lawyering is drudgery work—it’s sitting in
a library, it's banging out a brief, it's talking to clients for endless hours.” Irritations sometimes crowd out satisfaction. When this happens, remind yourself what it is you really like about your job. Make a list, and see if that helps elevate your mood. Still, if you are like most people, there will be days when you think you’d rather be working somewhere else. But wondering whether the grass is greener on the other side of the hill (or office tower) comes at a cost. Besides diminishing the possibility of love, if that’s a word you can wrap your head around in the job context, there are other costs associated with being in a perpetual job hunt. You can’t really relax, for one thing. A multitude of job opportunities can leave you feeling overwhelmed—“So many to investigate, so little time.” And all that time checking out other career options is time taken away from your family, friends, and favorite leisure activities.

There comes a time in life when you really should enjoy what you’ve achieved. Commitment is a big and serious word that we spend the first two or three decades of life running from—but deep satisfaction comes to those who are able to embrace it.

FINDING THE FLOW

When does time fly for you?

The sense of time flying comes when we are so absorbed in an activity that it crowds out the worries and self-consciousness that dog so much of our existence. The activities that absorb vary with our individual skills and interests. For some, time flies when they are rock climbing. For others, time whizzes by during a round of golf. For others still, minutes race during a foot-stomping guitar set with their neighborhood band. What all these activities provide, for someone with the right skills and interest, are stretching experiences—or creative challenges.

When everything is going just right, and the challenge is enough to test our skills and demand our attention but not so daunting as to produce anxiety, we are in what has been called in
positive psychology circles "a flow experience." The term "flow" is most associated with Mihalyi Csikszentmihalyi who defined flow as "a dynamic state that characterizes consciousness when experience is attended to for its own sake." It is a state where "action and awareness are merged." Athletes recall fondly their flow experiences, typically speaking of times they were "in the zone." During a flow experience we are in the now, not the past or the present—and utterly mindful. Of course, over time, thoughts of the past (that critical comment a partner made about my last memo) and future (will I finish the brief in time to join the gang for lunch?) assert themselves and the flow ebbs. It is probably more accurate to say that we can experience various degrees of flow experiences, with true flow being their short-lived essence.

It is not entirely accurate to say we are happy during flow experiences. We’re so focused on the task at hand that where the dial is on our personal happiness meter seems irrelevant. Moreover, if we interrupt our flow experience to consider the question of how happy we are at the present moment, we almost certainly become markedly less happy and lose our sense of flow. When we are feeling the flow we are living actively in the present and living intensely. Is that being happy? Perhaps. Asked afterward to reflect on our flow experience, most of us would probably describe the activity as fulfilling, engaging, even fun—but we’d pause before characterizing our feelings at the time because the one thing we know is that we were not thinking about our feelings. When you’re intensely focused on making contact with that high-velocity serve of your opponent, you have no time to think about how happy or sad you are—and that’s the beauty of it.

When asked about flow experiences, we are likely to draw examples from nonwork related activities such as athletics, outdoor recreation, hobbies, playing music, or writing poetry. Yet the characteristics of flow experiences can be found in workplace tasks as well.
What are the features of an activity that might cause it to induce a flow experience? First, it has to be an activity that requires you to apply a skill that you have, or at least one you think you have. Self-delusion seems to be sufficient here. Second, the demands on the skill must not be so great as to produce anxiety yet must be sufficient to avoid the boredom that accompanies less-demanding tasks. As a colleague of ours notes, “It’s no fun to play tennis with someone who can’t return your serve, but it’s also no fun to play tennis with someone whose serve you can’t return.” Third, there must be clear goals so that the direction of your activity is not in doubt. Fourth, the activity should be one that frees you from the flights of mind and distractions that accompany the more humdrum experiences of life. It helps if there is a mystery or unresolved question that will be unraveled or answered by your efforts. The mind far prefers puzzles to certainties. Finally, the activity should be one that is not interrupted by phone calls, police sirens, bathroom breaks, daydreams, or sports score searches on espn.com. A flow activity has our full attention.

Flow is not the first thing to come to mind when we consider our work as lawyers. Most hours in law firms are occupied with nonflow experiences such as answering e-mails, filling out billing forms, or digging around in files for an elusive document that suddenly has become important. It’s worth asking, however, when work time does, more or less—it’s not a magic carpet ride—fly. If you are a fire-in-your-belly trial lawyer, it might come when you cross-examine that key witness or reach the final flourish in your closing argument or ponder how to use your last precious preemptory challenge in jury selection. If you are a transactional attorney, it might be the eureka moment when you see a path to contract language that might spare your client costly litigation and months of potential worry. If you are a law professor, flow might come when classroom discussion gets buzzing and light bulbs go on amidst that sea of student desks. If you are a lawyer who takes pride in writing skills, flow can come in the simple task of putting
one clear and significant sentence after another on a page. Flow is where we find it, given our own skills, interests, and goals.

We all want more flow. It might not be synonymous with happiness, but we recognize that it’s pretty darn good. To get more flow, it helps to seek out more of those work experiences that have provided it the past. Take stock of those activities during your workday that give you a sense of flow and find a way to do them more often. If planning the firm retreat last year provided flow experiences, volunteer to do it again. Work more, if possible, with colleagues who you find engage your interest and challenge your intellectual skills. If trials do it for you, do more trials. Lose hours when writing appellate briefs? Then find a way to write more briefs. Needless to say, not all our hours will flow by like the Columbia (some chores are boring, but still have to get done), but improving the ratio of flow hours to nonflow hours should be every lawyer’s goal.

Research tells us that some work conditions are more likely to produce flow experiences than others. Jobs with variety in tasks are better than jobs without. Offices and work spaces with views of outdoor life (especially with natural beauty) are more conducive to flow experiences than spaces without windows or with views of brick walls or vacant lots. Jobs with novelty are better than jobs without. Jobs without frequent interruptions, and work environments that are free from excessive noise, are better than work places with noise and other distractions.

Puzzles are especially good at increasing the odds of a flow experience. Puzzles can come in many forms and still perform the trick. If we have a problem that offers no obvious solution, yet is a problem that we believe we have the skills to solve, there’s a good chance that “the flow” will soon be with us. Puzzle-solving demands our attention. There’s another bonus with puzzles, too: when we solve a puzzle, we garner a little happiness reward at the end—that same sort of positive reinforcement that basketball players experience when their shots swish through the nylon net.
The practice of law, thankfully, affords numerous puzzles. How do we avoid enough estate tax to allow our client to keep the family farm in the family? How do we get a particularly helpful fact before the jury without exposing our witness to damaging impeachment? What case holds the key to convincing an appellate court to finding in my client’s favor? The list goes on and on—if you can’t think of any puzzle in your work that gives you any pleasure to solve, you’re undoubtedly in the wrong line of work.

We can become happy for good reasons, bad reasons, or neutral reasons. Helping others brings happiness for a good reason. Becoming happy because a romantic rival has just contracted a life-threatenning disease is a bad reason. Becoming happy because you’re passively consuming an enjoyable piece of fluff entertainment is a neutral reason. Flow, if it can be said to bring happiness (and we’d argue that it does), is almost always happiness for a good reason.

LEARNING FROM THE HAPPINESS (OR UNHAPPINESS) OF OTHERS

You think you know what will make you happy? You’re most likely wrong. That is one of the principal lessons Gilbert offered in his bestseller, Stumbling on Happiness. Piling study on study until it can scarcely be doubted, Gilbert demonstrates how remarkably inept human beings are at predicting their own future levels of happiness. Our imaginations fail us when we try to picture what life would be like for us in new situations. * * *
One cannot review Gilbert's mountain of research without gaining a little humility. We really don't have much of a clue as to what will make us happy. Asked what one thing could make them happier, Americans say "money," according to a recent University of Michigan study. A worse answer could scarcely be imagined, from what a consistent body of happiness research shows. But there it is: Americans think more money is the key to future happiness.

If our imaginations are grossly deficient in predicting our future happiness, what can we do?  

We should "observe how happy people are in different situations," he suggests. The best source of information about the future is other people who are presently experiencing events that we are contemplating experiencing. Chances are that our own happiness in those different situations will approximate those of the people we observe. Human beings are much more alike than they are different; we all tend to be made happy by the same sorts of things—connections with other people, a sense of control, a sense of mattering. If a situation we observe has enough of those happiness contributors, it's likely to produce happy campers—someone else today, perhaps us tomorrow. * * *
What works for dating also works for career shopping. "Snooping in on other people's lives" gives us our best shot at an accurate prediction of the workplaces and types of work that will make us happiest as lawyers. Our learning from the experience of others should come from observation. Asking another person if they like their job won't do. Most everyone says that they like their jobs, and their answers have virtually no bearing on how good their job actually is.

Observation requires getting off your posterior. For practicing lawyers, this means taking mental notes on lawyers you interact with. If you're looking for a job, you might be better able to put yourself in a variety of workplaces. Visit courtrooms, law offices, judge's chambers, law schools, press conferences, administrative hearing rooms—visit any place you can see lawyers acting as lawyers. Talk to any lawyers you can about their professional lives. How happy do they seem to be? Remember, of course,
that happiness only rarely will be shown by laughs and big smiles. Happiness might be revealed by the focused attention of a lawyer engaged in a flow experience. The negative signs, the signs of unhappiness, will probably be at least as revealing as the positive signs. Boredom is hard to hide. Stress shows. So do anger and distraction.

Having said all this about there really being no substitute for observation, is there still something helpful that survey data can tell us about what workplaces produce the happiest lawyers? Yes, but the survey data are ambiguous. They come loaded with qualifiers. Make the best you can of it, and then go boldly out into the real world of lawyering with open eyes and an attentive mind.

KNOWING YOURSELF CAN MAKE YOU HAPPIER: IDENTIFYING YOUR PLEASURES AND YOUR STRENGTHS

IDENTIFYING PLEASURES

The idea is so simple that you would think everyone would do it: Reflect on what things you like to do, then resolve to do them more often. Yet this most direct of all paths to a happier life is rarely taken. Instead, our daily activities are determined more by our wants—and wants turn out to have relatively little to do with happiness.

At first blush, it might seem that what we want is what is likely to make us happy. But evolution has designed us to be competitive creatures and to seek out the prizes that come from competition rather than activities that give us pleasure. We strive to get the promotion, to earn more money to get the biggest house on the block, or to acquire the firm’s most high profile clients. We believe, more than ever before, that being financially well-off is an important key to happiness, despite study after study showing only a modest correlation between the two.
Make a list of the activities that give you pleasure, large or small. Your list might include reading the morning paper in your bathrobe, playing doubles tennis or games of Scrabble by the fire with a couple of old friends, traveling to new places, or having beers with office mates after work on Fridays. Take special care to identify the small pleasures that occur each day. They may be something as seemingly insignificant as a moment of rest by a sunny window in the late afternoon or a cup of that really good coffee from the café. Now, if at all possible (it’s hard to make more Fridays, but maybe you could also have lunch with co-workers on Tuesdays?), do the things on your list more often. What could be simpler?—and you’ll be happier. Recent research from the University of North Carolina backs this conclusion up. When people appreciate the daily “micro-moments” of happiness, those “positive emotions blossom”—and help people develop resilience against adverse events. As Lyubomirsky counsels, “Enjoy little things, for one day you may look back and realize that they were the big things.”

In the context of your law job, unfortunately, things might not be quite so simple. You might love making closing arguments to juries, but you cannot just decide to give more closing speeches and go do it. Giving more closing arguments requires taking more cases to juries—and taking every case to a jury hardly serves your clients’ interests. It might also mean doing more of something you do not like, such as pulling all-nighters preparing for examination of key witnesses. Still, there are likely to be certain pleasurable tasks on the job that can get more of your time without any obvious downside. Whatever it is you love to do—whether it is “rainmaking,” searching LexisNexis, planning firm parties, deposing witnesses—if you are any good at it, perhaps you can do more of it. Of course, you still must meet whatever other expectations your colleagues have for you, but the evidence is compelling that by doing
more of what you most enjoy doing, you will become at least a little happier.

IDENTIFYING STRENGTHS

Three questions deserve your attention: What activities give you meaning? What activities give you pleasure? What activities allow you to exercise your personal strengths? The jobs with the greatest long-term satisfaction are those that provide a source for each of these three activities.  

Identifying your strengths is no harder than identifying what gives you pleasure. If, ever since kindergarten, teachers have told you that you work well with others, you probably do. On the other hand, if every written project you've ever submitted came back filled with scribbled critical margin notes ("What's this mean?", "Poor word choice!", "Bad organization!"), writing is probably not your strength. The list of possible strengths is long and varied. It runs the gamut from being a great proof-reader to having the empathy necessary to really connect with jurors in personal injury cases. List your strengths. Think hard about what jobs allow you to exercise those strengths. Happiness correlates with being good at what you do and having the feeling of control that comes with professional competence. Seligman argues that people who find jobs that allow them to use their strengths stand a greater chance of deriving the "authentic happiness" that is the most erosion-resistant of all forms of happiness.

Whether law provides opportunities that lie at the intersection of your values, pleasures, and strengths is a question only you can answer. But it is a very important question. You should try to answer it and find the job (if one exists) that offers all three in the best proportions. You're almost guaranteed to be happier if you do.
FINDING A JOB THAT ALIGNS WITH YOUR VALUES: FOLLOWING YOUR HEART

If you could pick your clients’ legal causes, what would they be? The ones you fight for now, or some entirely different set? If you’re like most lawyers, many of the legal battles you wage on behalf of clients concern matters that are of little significance beyond the parties. Sure, an indifferent or bad cause pays as well (often better) than a good cause, but we’d be happier if we earned our bread in some other way. Poet, lawyer, and Librarian of Congress Archibald MacLeish wrote that he knew it was time for a different line of work when he lost the ability to care very much “whether $900,000 belongs this way or that.”

The happiest lawyers tend to be those who do work that they think makes the world at least a marginally better place. Law professor Deborah Rhode, one of the nation’s leading experts on the legal profession, states that attorneys experience “the greatest source of disappointment in practice” when they feel that they are not contributing to the public good.

Unlike some other sources of lawyer unhappiness, feelings about not serving a larger social purpose come from a choice you made. No one forced you to take the job with the fancy downtown firm with its list of well-heeled clients. You could have taken a job with the county prosecutor or the public defender (which one would have given you a sense of contributing to society’s betterment depends upon your own views on law, order, and justice). Maybe that dream job with the Justice Department or the Sierra Club wasn’t going to happen, but there probably was something out there that would have aligned better with your own values than the job you took. If you have sympathies that run to the little guy, perhaps a job in a personal injury plaintiff’s firm would have been a good fit. On the other hand, if you believe, as did President Coolidge, “the business of America is business,” corporate law or a job as corporate counsel might have been a super route to a happier practice. What are your values?
If you cannot readily answer the question that ended the last paragraph, make a list of people, causes, and things you pay attention to. (And, if you don’t pay attention to *anything*, get some professional help, because only attentive people have a clear shot at long-lasting happiness.) You might pay attention to some things that you’d rather not tell your mother about—craps tables, pornography, bongs carved by hand. Cross them off the list. You might pay attention to other things that provide personal pleasure but hardly seem substantial in the big scheme of things—your favorite football team or rock band. Cross them off too. Look at what’s left on the list. It could be the environment, your family, gay rights, free trade, or the homeless. Now, think hard: What can lawyers do to aid your cause, and where do you find the lawyers who provide that aid? Go look for them. Beg to work for them. Honest passion sometimes pays off.

If you work at something you care about, you are much more likely to be happy. One reason for the higher satisfaction among public sector attorneys\textsuperscript{50} relates to their greater success in achieving a desired work–life balance, but another key factor is that they care about the causes they work for. A job that aligns with your values allows you to emotionally connect with your work. “Without emotion,” as Punset reminds us, “no project is worth its salt.”\textsuperscript{51}

We can’t all work to save endangered species or defend civil liberties; most lawyers work in the private sector. In some private firms, pro bono opportunities provide a source of serving the public good that might not come from the firm’s usual run of clients.\textsuperscript{52} Pro bono work has been clearly linked to increased self-esteem among lawyers. As one attorney sold on its benefits put it, pro bono work is an “enormous morale booster for the entire firm… No office parties or picnics could give you that.”\textsuperscript{53} A side-benefit of pro bono work is that it improves the profession’s decidedly poor reputation among the public. A survey suggested that two-thirds of persons surveyed would think more highly of lawyers if they engage in more pro bono work.
What is true for lawyers is true for persons in other lines of work. Professions that involve helping others rank high in general happiness. To be more precise, occupations that allow workers to think they are helping others do well in happiness rankings. The fact that the help provided might seem rather modest in the eyes of those outside the profession is of little matter. Gilbert notes that often when a job doesn’t provide an obvious sense of meaning, people will figure out how to add it. As an example, he points to hairdressers who derive satisfaction from seeing themselves as key confidants of their clients. There’s a lesson here for lawyers: If you don’t presently see your job as making the world a better place, perhaps you could give the matter a bit more thought.

The perfect job is the one that lies at the intersection of our deeply held values, our personal strengths, and our pleasures. Rarely do people stumble into such jobs; to find these jobs requires a great deal of reflection about what truly matters to us, as well as what sorts of tasks test our strengths and give us the most pleasure.

**Not All Happiness Is Created Equal**

We suggested at the outset that happiness has many meanings. There is the happiness of the moment, what Seligman called “the giggles and pleasures and joys of life,” but there is also the happiness that comes from commitment. Aristotle used the word “eudaemonia” (“good spirit”) to describe the feeling that accompanies a life well spent: one of engagement and immersion in activities that contribute to a better society. True happiness to Aristotle comes not simply from feeling good, but from feeling good for good reasons—a feeling that generally comes from doing good.

The type of happiness that results from doing work that you find meaningful, after giving serious reflection to that question, is an especially resilient form of happiness. Fulfillment through important work is less prone to “set-point reversion” than other forms of happiness, such as the shorter-term happiness boosts that
come from pay raises or promotions or captures of coveted corner offices. Being engaged in the good work of building a better world brings the sort of happiness that tends to sticks with you for a good, long while.

Enhance your happiness by either finding a legal career that aligns with your values or, at a minimum, finding one that allows you to believe that you are somehow improving the world. If your job involves strictly fights over money, money that you really do not care goes to whom, then you’re not likely—in the long run—to enjoy much job satisfaction. Commit to a cause you believe in and be happy.

IT’S A TOOLBOX, NOT A RECIPE

It’s the rare construction project that requires every tool in a toolbox, and it’s the rare lawyer who could successfully adopt every one of the suggestions we’ve made in this chapter. Consider each tool and its possible application to your career. Use the ones that make sense for your situation and your skills and personality. Now, get to work building the framework for a more satisfying life in the law.

WAYS TO BECOME A HAPPIER LAWYER

1. Make sure your job is one that matters to you.
   • choose meaningful projects over busy work
   • try to become a key player in your firm and legal community

2. Think about the way your job positively affects other people.
   • identify how your work has bettered lives
3. Strive for a comfortable work-life balance.
   • be willing to sacrifice income if necessary (it won’t matter)
   • consider telecommuting or “5 days work in 4” options
   • discuss work flexibility with sympathetic partners

4. Work to make your job more secure.
   • know and become friends with those who control your fate
   • meet or exceed firm expectations
   • develop expertise in noncyclical or countercyclical areas

5. Take control of your work product and work space.
   • set, when possible, a timetable for finishing work
   • develop your own strategy for meeting goals
   • personalize your work space with photos, art, etc.

6. Connect with people.
   • work on collaborative projects when possible
   • eat lunch with colleagues or clients
   • participate in firm social events
   • seek help and offer feedback
   • praise colleagues who do good work
   • remember birthdays and write personal notes
   • choose face-to-face work when possible

7. If happiness seems possible in your job, commit to that job.
   • don’t always look for greener grass (water your own)
   • remind yourself what you really like about your job
   • trust those who earn it and remember that building trust takes lots of interaction

8. Increase the frequency of your “flow experiences.”
   • think about projects that have “made time fly”
   • identify common characteristics of those projects
• look for tasks that challenge you but are within your abilities
• avoid, when possible, tasks that are so easy as to bore you
• find a work setting where distractions are minimized
• try to include a variety of tasks within your work day
• work in places with natural light and views of nature

• focus on internal goals, not keeping up with colleagues
• remind yourself that money has little to do with happiness
• choose, when possible, projects that benefit the less fortunate

10. Find out what experiences have made other lawyers happy.
• remember that people are more alike than different
• talk with other lawyers and ask about their experiences
• observe what seems to make other lawyers happy
• choose jobs and projects that have made other lawyers happy

11. Know your strengths and what gives you pleasure.
• identify tasks and events that give you pleasure, and do them more often
• recognize your strengths and find ways to use them

12. Align your work with your values.
• identify your values and look for work consistent with those values
• consider volunteering for pro bono work or work that you care about