

Judges' Well-Being and the Importance of Meaningful Work

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At their swearing-in ceremonies, most judges are filled with a sense of meaning, pride, and happiness after achieving such an honored role. And rightly so. Alexander Hamilton said that “the first duty of society is justice,” and judges play a central role in this epic duty. With this duty, however, comes enormous responsibility—and plenty of pressure. Judges are not always well-prepared to deal with the stressful realities of the job that come after the ceremony and celebrations have ended, including overloaded dockets, heightened public scrutiny, weighty decisions, disturbing evidence, irritating lawyers and litigants, anxiety over time limits and expectations of perfection, threats to safety, social isolation, and more.¹ That this onslaught of new pressures does not cause a diagnosable mental health disorder or addiction for many judges does not mean that they are mentally healthy, fully engaged, or thriving. Instead, too many end up feeling isolated, trapped, and burned out.

The National Task Force on Lawyer Well-Being recently issued a watershed report—*The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*—that calls for judges and all of the profession’s stakeholders to prioritize well-being. The report defines well-being as a “continuous process toward thriving across all life dimensions”² and establishes it as a key contributor to professional competence. In February 2018, the American Bar Association (ABA) House of Delegates endorsed the report through Resolution 105.³ These developments, along with many other initiatives cropping up across the profession, suggest a growing demand for positive changes to support lawyer thriving.

The National Task Force’s definition of well-being encompasses six life dimensions. Our article focuses on one in particular: the “Spiritual,” which entails “[d]eveloping a sense of

meaningfulness and purpose.”⁴ As discussed below, meaningfulness fuels forms of work-related well-being like engagement, and its decline can lead to burnout and other negative consequences that harm judges’ ability to perform their best. We offer substantial evidence to support our view that meaningfulness should play a prominent role in well-being initiatives in the legal profession, as well as evidence-based strategies for judges to enhance meaningfulness and well-being for themselves and their colleagues and staff.

MEANING & PURPOSE ARE KEY CONTRIBUTORS TO WELL-BEING

The “Spiritual” dimension of well-being—developing meaning and purpose—too often has been overlooked in a profession that narrowly favors rationality and logic.⁵

Probably more than in any other profession, legal practitioners have been trained to ignore intuition, emotions, spiritual, and other human gifts that best facilitate connections with other humans on matters of meaning and values.⁶

This blind spot to the full scope of well-being may help explain why many lawyers and judges experience a “profound ambivalence” about their work⁷ and are not fully thriving.⁸

The importance of creating meaningfulness in our lives can hardly be overstated. Research suggests that it is powerfully important to our happiness, and, for many people, it is the ultimate goal of their work and non-work lives.⁹ In his famous book, *Man’s Search for Meaning*, Holocaust survivor and psychiatrist Viktor Frankl argued that a primary motivational force that drives us all is the desire to find meaning in life.¹⁰ He

Footnotes

1. Bree Buchanan et al., *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, American Bar Association 22 (Aug. 14, 2017) <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>; Gerald Lebovits, *Judicial Wellness: The Ups and Downs of Sitting New York Judges*, 89 N.Y. ST. BAR ASS’N J. 10, 10-22 (2017); Monica K. Miller & James T. Richardson, *A Model of Causes and Effects of Judicial Stress*, 45 JUDGES J. 20, 20-23 (2006); Alexis Resnick et al., *Surviving Bench Stress*, 49 FAM. CT. REV. 610, 610-617 (2011).
2. Buchanan, *supra* note 1, at 9.
3. Terry Harrell, *Adopted Resolution 105*, American Bar Association (Feb. 2018), https://www.americanbar.org/news/reporter_resources/midyear-meeting-2018/house-of-delegates-resolutions/105.html.
4. *Id.*
5. Susan S. Daicoff, *LAWYER, KNOW THYSELF: A PSYCHOLOGICAL ANALYSIS OF PERSONALITY STRENGTHS AND WEAKNESSES* (American Psychological Association 2004).
6. Pat M. Sullivan, *Spirit of the Law: How Lawyers, Judges, Law Professors, and Legal Staff Bring Spirit to Work*, in *HANDBOOK OF FAITH AND SPIRITUALITY IN THE WORKPLACE: EMERGING RESEARCH AND PRACTICE* 315, 330 (J. Neal ed., 2013).
7. David L. Chambers, *Overstating the Satisfaction of Lawyers*, 21 LAW & SOC. INQUIRY 1, 1 (2013).
8. Patrick R. Krill et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 J. ADDICT. MED. 46, 46-52 (2016).
9. Stephen E. Humphrey et al., *Integrating Motivational, Social, and Contextual Work Design Features: A Meta-Analytic Summary and Theoretical Extension of the Work Design Literature*, 92 J. APP. PSYCHOL. 1332, 1332-1356 (2007).
10. Victor E. Frankl, *MAN’S SEARCH FOR MEANING* (Beacon Press 1959).

developed a whole theory of psychotherapy (called “logotherapy”) based on that belief.

The concept of meaning and purpose also appears as a factor in well-established definitions of well-being in the social sciences. For example, Dr. Carol Ryff’s popular concept of “psychological well-being” includes having purpose in life, defined to include a sense of meaning, direction, and objectives for living.¹¹ Positive psychology co-founder Dr. Martin Seligman defines well-being to include meaning, which he says entails a sense of “belonging to and of serving something that you believe is bigger than the self.”¹²

Much research supports these views that meaning is a key ingredient of well-being. It shows that meaning has a big impact on both psychological wellness and physical health, including the following:¹³

- Better emotion regulation
- Reduced risk of anxiety, depression, and suicidal thinking
- Reduced substance abuse
- Reduced risk of heart attack and stroke
- Healthy sleep
- Slower cognitive decline in Alzheimer’s patients
- Lower overall mortality for older adults

It is through meaningful *work* that many of us seek to build a meaningful *life*. “Work” is among the most common responses to surveys asking what gives life meaning,¹⁴ and most people identify having important and meaningful work as the single most valued feature of their employment.¹⁵ A recent review article of a large number of studies found that work can contribute to meaning in life through six pathways:

- Making people happy;
- Providing opportunities for social connections and contributing to others;
- Helping people identify goals and feel motivated;

- Helping people create a sense of coherence and structure in their lives;
- Providing financial resources that can facilitate other meaningful pursuits; and
- Interacting with religious beliefs and values in ways that foster meaning and purpose.¹⁶

**“He who has a why to live can bear almost any how.”
—Nietzsche**

When work is meaningful, people feel motivated to fully invest themselves, as is reflected in the many positive outcomes of meaningful work: higher job performance; job and life satisfaction; cohesion with colleagues; work effort; engagement; and lower stress, anxiety, and depression, to name a few.¹⁷ Meaningfulness also serves as a source of resilience,¹⁸ as captured in the famous Nietzsche quote that, “He who has a why to live can bear almost any how.”

MEANINGFUL WORK (OR ITS ABSENCE) DRIVES WORK ENGAGEMENT (OR BURNOUT)

Most judges likely have heard of burnout and work engagement, the two sides of the work well-being continuum. But they may be less familiar with their definitions, causes and consequences. At the heart of each is the experience of meaningful work.

Work engagement is a form of workplace thriving in which people feel energetic, resilient, a sense of meaning and purpose, optimally challenged, and absorbed in their work tasks.¹⁹ High engagement contributes to, for example, better mental health, job satisfaction, helping behaviors, and performance, as well as reduced stress, burnout, and turnover.²⁰ Multiple studies have found that the biggest driver of work engagement is the experience of meaningful work.²¹

On the other hand, a declining sense of meaningfulness is highly damaging—and is a primary cause and effect of

11. Carol D. Ryff, *Psychological Well-Being Revisited: Advances in the Science and Practice of Eudaimonia*, 83 *PSYCHOTHERAPY & PSYCHOSOMATICS* 10, 10–28 (2014).

12. Martin E. Seligman, *FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING* 12 (Free Press 2011).

13. Eric S. Kim et al., *Purpose in Life and Incidence of Sleep Disturbances*, 38 *J. BEHAV. MED.* 590, 590–597 (2015); Michael F. Steger et al., *The Meaning in Life Questionnaire: Assessing the Presence of and Search for Meaning in Life*, 53 *J. COUNSELING PSYCHOL.* 80, 80–93 (2006).

14. Blake A. Allan et al., *Meaning in Life and Work: A Developmental Perspective*, 10 *J. POSIT. PSYCHOL.* 323, 323–331 (2015).

15. Catherine Bailey et al., *The Mismanaged Soul: Existential Labor and The Erosion of Meaningful Work*, 27 *HUM. RESOUR. MANAG. REV.* 416, 416–430 (2017); Adam M. Grant, *Relational Job Design and the Motivation to Make a Prosocial Difference*, 32 *ACAD. MANAG. REV.* 393, 393–417 (2007).

16. Sara J. Ward & Laura A. King, *Work and the Good Life: How Work Contributes to Meaning in Life*, 37 *RESEARCH ORG. BEHAV.* 59, 59–82 (2017).

17. Blake A. Allan, *Task Significance and Meaningful Work: A Longitudinal Study*, 102 *J. VOC. BEHAV.* 174, 174–182 (2017); Kara A. Arnold et al., *Transformational Leadership and Psychological Well-Being: The Mediating Role of Meaningful Work*, 12(3) *J. OCCUP. HEALTH PSYCHOL.* 193, 193–203 (2007); Fernando Jaramillo et al., *Bringing Meaning to the Sales Job: The Effect of Ethical Climate and Customer Demandingness*, 66 *J. BUS. RES.* 2301, 2301–2307 (2013); Jing Hu & Jacob Hirsh, *The Benefits of Meaningful Work: A Meta-Analysis*, *ACAD. MANAG. PROC.* (2017).

18. Cary Cooper et al., *BUILDING RESILIENCE FOR SUCCESS: A RESOURCE GUIDE FOR MANAGERS AND ORGANIZATIONS* (Palgrave Macmillan 2013); Randall R. Ross & Elizabeth M. Altmaier, *INTERVENTION IN OCCUPATIONAL STRESS* (Sage Publications Ltd. 1994).

19. William B. Schaufeli, *What Is Engagement?* in *EMPLOYEE ENGAGEMENT IN THEORY AND PRACTICE* (C. Truss, K. Alfes, R. Delbridge, A. Shantz, & E. Soane eds., 2013).

20. Catherine Bailey et al., *The Meaning, Antecedents and Outcomes of Employee Engagement: A Narrative Synthesis*, 19 *INT. J. MANAG. REV.* 31, 31–53 (2017).

21. Anne M. Brafford, *POSITIVE PROFESSIONALS: CREATING HIGH-PERFORMING, PROFITABLE FIRMS THROUGH THE SCIENCE OF ENGAGEMENT* 14 (American Bar Association 2017).

“the root cause of burnout lies in people’s need to believe that their lives are meaningful”

burnout.²² Burnout is a debilitating response to chronic stress that can have serious psychological and physiological effects.²³ People experiencing burnout feel emotionally drained, callous toward others, cynical about the value of their work, and uncertain about their abilities.

Burnout can negatively impact judges’ physical and psychological health, as well as their ability to effectively function in their work.²⁴ For example, burnout and related conditions undermine the capacity for emotion regulation, impulse control, and deliberative decision making.²⁵ The effects increase the likelihood of angry outbursts, intolerance, irritability, and frustration.²⁶ In the medical profession, burnout has been linked to dishonesty, ethical lapses, increased errors, and a decline in the quality of patient care,²⁷ as well as an increased risk of depression, substance abuse, and suicidal thinking.²⁸ Although we have not found any studies that have identified the burnout rate in the legal profession, commentators repeatedly have pointed out that many aspects of judges’ work make them vulnerable to burnout and related conditions.²⁹

Burnout is not necessarily the consequence of working hard or generic workplace stress.³⁰ Instead, one scholar has argued that “the root cause of burnout lies in people’s need to believe that their lives are meaningful, that the things they do are useful and important.”³¹ People with high initial expectations for deriving significance from their work gradually can become overwhelmed by a sense of helplessness and meaninglessness as they come to view their work as ultimately futile or not enough to live up to those early ideals.

For example, in a study of hospital nurses, total number of hours worked was not significantly related to burnout, but the

nurses’ sense of accomplishment was. An exemplar comment came from a nurse who described her best days as those in which she worked the hardest. Burnout crept in only when she felt there was nothing she could do to help a patient.³² This finding comports with other evidence suggesting that professionals’ goals and expectations that they had when entering their careers are related to burnout. For nurses, for example, their most important goal was to help people who were suffering. Consequently, witnessing people’s pain without being able to help is the greatest cause of burnout for them. Research like this suggests that burnout results “from the appraisal that one’s contribution is insignificant.”³³

Generally, if people are able to recover a sense of significance in their work, the problem of burnout can be resolved.³⁴ Accordingly, having a sense that one’s work is meaningful is a key factor for stimulating engagement and avoiding burnout. Judges interested in a check-up of their own burnout symptoms can start with a self-assessment created by Dr. Isiah Zimmerman—a clinical psychologist who has worked with judges—that can be found on the Missouri Bar’s website.³⁵

Making Work Meaningful. The above discussion of the animating forces of burnout and engagement gives a strong hint as to the definition of the vital concept of “meaningful work.” It has been defined as a sense that one’s work has significance, facilitates personal growth, and contributes to the greater good.³⁶ Work has “significance” when we judge it as being worthwhile and important within our own value system.³⁷ Judges can assess their own experience of meaningful work using the Work and Meaning Inventory created by Professor Michael Steger (a leading researcher on meaning) and available on his website.³⁸ It asks, for example, whether you believe that your work contributes to your personal growth, makes a positive difference in the world, and provides a sense of meaning in your life.

22. Patrick M. Dunn et al., *Meeting the Imperative to Improve Physician Well-Being: Assessment of an Innovative Program*, 22 J. GEN. INTERN. MED. 1544, 1544-1552 (2007); Jing & Hirsh, *supra* note 17; Michael S. Krasner et al., *Association of an Educational Program in Mindful Communication with Burnout, Empathy, and Attitudes Among Primary Care Physicians*, 302 JAMA 1284, 1284-1293 (2009); Christina Maslach et al., *Job Burnout*, 52 ANNU. REV. PSYCHOL. 397, 397-422 (2001); Ayala M. Pines & Oreniya Yafe-Yanai, *Unconscious Determinants of Career Choice and Burnout: Theoretical Model of Counseling Strategy*, 38 J. EMPL. COUNSELING 170, 170-184 (2001).

23. Maslach et al., *supra* note 22.

24. Hon. Felicity Hampel, *From Stress to Resilience*, LAW INST. J. (Sept. 2015).

25. Jared Chamberlain & Monica K. Miller, *Stress in the Courtroom: Call for Research*, 15 PSYCH. & PSYCHOL. L. 237, 237-250 (2008); Jared Chamberlain & Monica K. Miller, *Evidence of Secondary Traumatic Stress, Safety Concerns, and Burnout Among a Homogeneous Group of Judges in a Single Jurisdiction*, 37 J. AMER. ACAD. PSYCH. L. 214, 214-224 (2009); Hempel, *supra* note 24; Carly Schrever, *Judging Stress*, 89 L. INST. J. 29, 29-32 (September 2015).

26. E.g., Peter G. Jaffe et al., *Vicarious Trauma in Judges: The Personal Challenge of Dispensing Justice*, 54 JUV. FAM. CT. J. 1, 1-10 (2003).

27. Thomas L. Schwenk, *Resident Depression: The Tip of a Graduate Medical Education Iceberg*, 314 JAMA 2357, 2357-2358 (2015).

28. Liselotte N. Dyrbye & Tait D. Shanafelt, *Physician Burnout: A Potential Threat to Successful Health Care Reform*, 305 JAMA 2009, 2009-2010 (2009); Liselotte N. Dyrbye & Tait D. Shanafelt, *A Narrative Review of Burnout Experienced by Medical Students and Residents*, 50 MED. EDUC. 132, 132-149 (2016).

29. E.g., Chamberlain & Miller, *supra* note 25; Jaffe et al., *supra* note 26; Miller & Richardson, *supra* note 1; Deborah W. Smith, *Secondary and Vicarious Trauma Among Judges and Court Personnel*, Trends in State Courts (Apr. 2017) https://ncsc.contentdm.oclc.org/digital/api/collection/hr/id/171/page/0/inline/hr_171_0.

30. Ayala M. Pines & Giora Keinan, *Stress and Burnout: The Significant Difference*, 39 PERSON. & INDIV. DIFF. 625, 625-635 (2005).

31. *Id.* at 626.

32. *Id.*

33. *Id.* at 633.

34. *Id.*

35. Isiah M. Zimmerman, *Six-Month Checkup: Early Warning Signs of Judicial Burnout*, MO. B. BULL. (Nov. 2001) <http://www.mobar.test02.org/uploadedfiles/home/molap/judicial-burnout.pdf>.

36. Allan et al., *supra* note 14.

37. Douglas R. May et al., *The Psychological Conditions of Meaningfulness, Safety and Availability and the Engagement of the Human Spirit at Work*, 77 J. OCCUP. & ORG. PSYCHOL. 11, 11-37 (2004).

38. <http://www.michaelfsteger.com>.

Meaningfulness is created (or not) in an ongoing dynamic process.³⁹ It is not akin to an Easter egg hunt. We are not done once we “find” the prize. Rather, every day, we have interactions and experiences that can shape our experience of meaningfulness. Additionally, cultivating meaningful work is not a solo activity—it is influenced significantly by other people and by our work environments.⁴⁰ The content of the work we do, the perceived importance of our work roles to the wider world, social interactions that give us a sense of belonging and positively contributing to others, and our sense of fit within the organization and with its mission all affect our sense of meaningfulness.⁴¹ Through our own daily behaviors that are big or small, conscious or unconscious, each of us has a huge impact on ourselves, each other, and whether meaningfulness is enhanced or diminished.

That meaningfulness is malleable and dynamic is good news. It means that meaningfulness is not the result of a fixed attribute of a particular job or person. In fact, social science researchers have identified many meaning-making strategies. But there is no one-size-fits-all formula. As noted above, whether we deem our work “significant” is tied to our own values and preferences. What we find meaningful may not be meaningful for others.⁴² Accordingly, the best approach will be to try a variety of strategies to see what works for us and what is most effective for boosting the experience of meaningfulness for our colleagues.

Motivation and Meaningfulness. While particular meaning-making strategies for each person may be individualized, there is a unifying framework that can help us to understand what makes some strategies more effective than others: This framework is called self-determination theory (SDT). SDT is a well-established and powerful theory of motivation. It proposes that our growth toward optimal functioning depends on fulfillment of three basic needs: autonomy (feeling that we’re acting volitionally), relatedness (feeling cared about and a sense of belonging), and competence (feeling confidence in our ability to master new skills and have an impact on our environment⁴³). A growing body of evidence suggests that there may also be a fourth need termed “beneficence,” which refers to one’s sense of having a positive impact in the lives of other people (sometimes referred to as “prosocial impact”⁴⁴). According to SDT, optimal

functioning is possible only to the extent that people’s social surroundings satisfy these needs, or to the extent that people are able to individually construct sufficient inner resources to satisfy their own needs.

Need-fulfillment has many positive outcomes connected to work and life well-being, including the generation of high-quality internal motivation.⁴⁵ We are internally (rather than externally) motivated when we make choices because they align with our values and preferences rather than because we feel coerced or goaded by guilt. Research shows that pursuits that fulfill our SDT basic needs and are fueled by internal motivation will be experienced as the most meaningful.⁴⁶ Research also reflects that needs will be most fulfilled by intrinsic aspirations—those that are desirable ends in and of themselves. These include things like personal growth, close relationships, helping make the world better, and being healthy.⁴⁷ On the other hand, pursuing extrinsic goals (which are instrumental or contingent on others’ reactions) like financial success, fame, and an appealing image are less supportive of SDT needs. In fact, they are linked to greater depressive symptoms, anxiety, and lower-quality relationships.⁴⁸

The positive effects of SDT need-satisfaction have been found in a broad range of contexts, including the legal profession itself. For example, in a recent study of more than 6,000 practicing lawyers and judges, of all factors studied, the three SDT needs and internal motivation had the largest relationships with subjective well-being.⁴⁹ The SDT factors trumped law-school grades, law-school ranking, physical exercise, vacation days, and religious or spiritual practice. In other words, having one’s SDT needs satisfied was far more important to current happiness than, for example, having a high income or graduating from a prestigious law school with top grades. A recent unpublished study of more than 200 practicing lawyers found similar effects—SDT needs had strong positive relationships with engagement and strong negative relationship with turnover intentions.⁵⁰

“Meaningfulness ... is not akin to an Easter egg hunt. We are not done once we ‘find’ the prize.”

39. Allan et al., *supra* note 14.

40. Brent D. Rosso et al., *On the Meaning of Work: A Theoretical Integration and Review*, 30 RES. ORG. BEHAV. 91, 91–127 (2010).

41. Bailey et al., *supra* note 20.

42. Michael G. Pratt et al., *Doing Well, Doing Good, and Doing with: Organizational Practices for Effectively Cultivating Meaningful Work*, in PURPOSE AND MEANING IN THE WORKPLACE 173, 173-196 (B. J. Dik, Z. S. Byrne, & M. F. Steger eds., 2013).

43. Edward L. Deci & Richard M. Ryan, *The Importance of Universal Psychological Needs for Understanding Motivation in the Workplace*, in OXFORD HANDBOOK OF WORK ENGAGEMENT, MOTIVATION, AND SELF-DETERMINATION THEORY 13, 13-32 (M. Gagne ed., 2014).

44. Frank Martela & Richard M. Ryan, *The Benefits of Benevolence: Basic Psychological Needs, Beneficence, and the Enhancement of Well-Being*, 84 J. PERSON. 750, 750–764 (2016).

45. Brafford, *supra* note 21, at 22-28.

46. Allan et al., *supra* note 14; Frank Martela et al., *Meaningfulness as*

Satisfaction of Autonomy, Competence, Relatedness, and Beneficence: Comparing the Four Satisfactions and Positive Affect as Predictors of Meaning in Life, J. HAPPINESS STUD. (2017); Netta Weinstein et al., *Motivation, Meaning, and Wellness*, in THE HUMAN QUEST FOR MEANING 81, 81-106 (P. T. P. Wong ed., 2014).

47. Tim Kasser & Richard M. Ryan, *Further Examining the American Dream: Differential Correlates of Intrinsic and Extrinsic Goals*, 22 PERSONALITY & SOC. PSYCHOL. BULL. 80, 80-87 (1996); Kennon M. Sheldon et al., *The Independent Effects of Goal Contents and Motives on Well-Being: It’s Both What You Pursue and Why You Pursue It*, 30 PERSON. & SOC. PSYCHOL. BULL. 475, 475-486 (2004).

48. Weinstein et al., *supra* note 46.

49. Lawrence S. Krieger & Kennon M. Sheldon, *What Makes Lawyers Happy? Transcending the Anecdotes with Data from 6200 Lawyers*, 83 GEO. WASH. UNIV. L. REV. 554, 554-627 (2015).

50. Brafford, *supra* note 21, at 27.

“What we pay attention to influences who we become.”

CULTIVATING MEANINGFULNESS AND WELL-BEING THROUGH NEED-SATISFACTION

The large body of evidence supporting SDT (including within the legal profession)

warrants placing it at the center of well-being strategies for judges. The rest of this article recommends evidence-based strategies designed to help fulfill the basic SDT needs while also cultivating a sense of meaningfulness and boosting well-being. Given the diversity of personalities, values, and experiences of the judicial workforce, these strategies are offered not as a singular prescription but instead as a menu from which different people can select options that most appeal to them.

Autonomy-Enhancing Strategies. The SDT autonomy need is driven by a basic human desire to be “self-creating” and under self-rule.⁵¹ It is not exaggerated individualism, nor does it entail total independence from others. Rather, our autonomy need is about feeling authentic and like the author and architect of our own behavior—that our behavior aligns with our interests and values and is within our responsibility and control.⁵² Autonomy can harmonize with outside influences so long as we concur with them, feeling both a sense of choice and alignment of values.⁵³

Although judges have substantial latitude in their work roles, they are not free from external pressures and sometimes may feel that the job requirements do not align with their values, preferences, and identity. Coercive external forces that compel or guilt us into action thwart our feelings of autonomy.⁵⁴ To better support this need while enhancing meaningfulness and well-being, judges might consider trying to reshape their daily mental habits by making more intentional choices about where to invest their attention and how to craft their jobs to make them more personally meaningful.

Invest Attention More Deliberately Into Well-Being. The valuable resource of attention can be thought of like “psychic energy.”⁵⁵ Every minute of every day, we are bombarded by demands on our limited attentional bandwidth.⁵⁶ What we pay attention to (either intentionally or as a result of automatic mental habits) determines what gets into our consciousness.

What we pay attention to influences who we become; and who we become shapes what we pay attention to.

We’re constantly burning our psychic energy, including on things like ruminating, worrying, or just being unfocused or distracted. Understanding this empowers us to create a better life by choosing one thought over another—by managing and protecting the limited resource of our attention. Being more intentional and selective about how we plan our days can enhance our experience of autonomy and leave us with more attention for things that will make our lives more meaningful and boost our well-being.

In fact, research shows that people who deliberately plan their days to incorporate opportunities that can lead to naturally occurring positive emotions more frequently experience them and have higher well-being—a positive mental habit labelled “prioritizing positivity.”⁵⁷ And if intentionally cultivating positive emotions sounds too self-indulgent or unserious, consider that a high frequency of positive emotions is strongly associated with feelings of meaning and purpose,⁵⁸ work engagement, and physical and psychological well-being.⁵⁹ The most effective activities will be those that boost positive emotions and meaningfulness by satisfying SDT needs. Examples include activities that allow us to achieve something that provides a sense of accomplishment, develop feelings of mastery, help others, express personal values, or tackle just the right amount of challenge.⁶⁰

Enhance Self-Congruence Through Job Crafting. Judges also can try to craft their jobs in ways that better fit their values and preferences. This strategy enhances a sense of self-congruence, which supports the autonomy need while boosting meaningfulness.⁶¹ To create true meaning, people first must get to know who they really are, including their values and priorities, and then act in accordance with that knowledge.⁶² For work, this means that the tighter the “fit” between ourselves and our jobs, the greater the sense of meaningfulness. The more our work aligns with our interests, skills, abilities, strengths and values, the happier we’ll be.⁶³

Notably, feelings of fit and passion with our work can grow and change; they’re not fixed.⁶⁴ This means that judges can proactively shape their sense of fit with their jobs if they currently feel misaligned. How might they do so? One potential

51. Richard M. Ryan, *The Nature of the Self in Autonomy and Relatedness*, in *THE SELF: INTERDISCIPLINARY APPROACHES* 208, 208-238 (J. Strauss & G. R. Goethals eds., 1991).

52. Edward L. Deci & Richard M. Ryan, *HANDBOOK OF SELF-DETERMINATION RESEARCH* 8 (University of Rochester Press 2002); Ryan, *supra* note 51.

53. Deci & Ryan, *supra* note 52, at 8.

54. Richard M. Ryan, *Psychological Needs and the Facilitation of Integrative Processes*, 63 *J. PERSON.* 397, 397-427 (1995).

55. MIHALY CSIKSZENTMIHALYI, *Flow: The Psychology of Happiness* 30 (Rider 1992).

56. Mihaly Csikszentmihalyi, *Preface to Positive Leisure Science: From Subjective Experience to Social Contexts* vii-ix (Springer 2013).

57. Jesus A. Datu & Ronnel B. King, *Prioritizing Positivity Optimizes Positive Emotions and Life Satisfaction: A Three-Wave Longitudinal Study*, 96 *PERSON. INDIV. DIFF.* 111, 111-114 (2016).

58. Laura A. King & Joshua A. Hicks, *Positive Affect and Meaning in*

Life, in *THE HUMAN QUEST FOR MEANING* 125, 125-141 (P. T. P. Wong ed., 2014); Martela et al., *supra* note 46.

59. Brafford, *supra* note 21, at 29-33.

60. *Id.* at 133-38; Aaron M. Eakman, *Relationships Between Meaningful Activity, Basic Psychological Needs, and Meaning in Life: Test of the Meaningful Activity and Life Meaning Model*, 33 *OTJR: OCCUP. PARTIC. HEALTH* 100, 100-109 (2013).

61. Rosso et al., *supra* note 40.

62. Weinstein et al., *supra* note 46.

63. Neil Chalofsky & Liz Cavallaro, *A Good Living Versus a Good Life: Meaning, Purpose, and HRD*, 15 *ADV. DEVEL. HUM. RESOURCES* 331, 331-340 (2013); Ryan D. Duffy et al., *Work Volition and Job Satisfaction: Examining The Role of Work Meaning and Person-Environment Fit*, 63 *CAREER DEV. Q.* 126, 126-140 (2015).

64. Patricia Chen et al., *Finding Fit or Developing Fit: Implicit Theories About Achieving Passion for Work*, 41 *PERS. SOC. PSYCHOL. BULL.* 1411, 1411-1424 (2015).

technique is job crafting, which is a process in which people tweak their jobs (or their perceptions of their jobs) to make them more personally meaningful.⁶⁵ Through job crafting, we can actively shape our work to enhance fit with our values, talents, strengths, skills, and interests.

Job tasks, relationships, and our own thoughts and feelings can be targets of job crafting. In what's called *cognitive crafting*, for example, we focus our attention on the benefits of our work—including the benefits that flow even from the undesirable parts. For example, a hospital janitor might frame her job not as simply mopping floors but as creating a healing environment for patients. In *relationship crafting*, we seek connection with people who energize us and avoid those who deplete us. *Task crafting* includes proactively seeking out tasks that interest us. For example, a study in the medical field found that the extent to which faculty physicians were able to focus on the aspect of their work that was most meaningful to them (most often, caring for patients) had a strong inverse relationship to their risk of burnout.⁶⁶ In each of these examples, individuals are changing their experience of their work without having to change jobs or employers.

Accordingly, to foster meaningfulness and support their autonomy need, judges should seek out more tasks that they enjoy, that match their ideals for entering the profession, and that use a full range of their strengths and abilities. They also potentially could explore delegating tasks that they do not enjoy to other qualified people—like other judges, law clerks, or staff. For judges who are interested in exploring job crafting further, the University of Michigan's Center for Positive Organizations offers a booklet on its website.⁶⁷

In addition to the tasks, relationships, and thoughts that comprise much of our jobs, values are another important aspect of our identities that can be connected (or not) to our work.⁶⁸ So, in addition to the job-crafting activities above, judges also could try values crafting. For example, judges could identify several values that are personally meaningful to them and reflect on how they implement those values in their work every day, as well as how they might do so more often or

in new ways. Research has shown that values exercises like this help people cultivate a sense of meaningfulness, cope with stress, and enhance well-being.⁶⁹

Relatedness-Enhancing Strategies. Through the autonomy and relatedness needs, SDT reflects that humans are strongly driven to be both distinct and connected.⁷⁰

While taking more control of our individual experiences can help satisfy our autonomy need, we also require positive connections with others to experience meaningfulness and achieve well-being. No one is an island. The courthouse is a microcosm of community, made up of people with whom you interact regularly, briefly, or only rarely. This social dimension of work offers ample opportunity—along with a few notable pitfalls—for fulfilling relatedness needs.

Relatedness is a potent need hardwired into us through evolution. It entails a basic human desire to care for others, to be cared for, and to experience a sense of belongingness to groups that are significant to us.⁷¹ A long line of studies in anthropology, sociology, and psychology establish that the need for connection is a powerful and pervasive motivation. It impacts many aspects of human functioning—including cognitive processes, emotional patterns, behaviors, and health and well-being.⁷²

The effects are wide-ranging and often surprising. For example, when we interact with people we view positively, we get a physiological boost—our blood pressure, immune system, and beneficial hormones all are positively affected.⁷³ Feeling supported by people who care about us actually alters our perception of challenge, including suffering less physical pain⁷⁴ and perceiving hills as less steep.⁷⁵ But when people are socially rejected, they can experience physical pain⁷⁶ or plunge into a downward spiral of self-defeating behavior,⁷⁷ and their IQs may even drop.⁷⁸ Relationships are so universally important that they are the most common response to the question of what gives life meaning.⁷⁹ Similarly, close interpersonal relationships

“judges should seek out more tasks ... that match their ideals for entering the profession”

65. Amy Wrzesniewski et al., *Job Crafting and Cultivating Positive Meaning and Identity in Work*, 1 ADV. POSITIVE. ORG. PSYCHOL. 281, 281-302 (2013).

66. Tait D. Shanafelt et al., *Career Fit and Burnout Among Academic Faculty*, 169 ARCH. INTERN. MED. 990, 990-995 (2009).

67. <http://positiveorgs.bus.umich.edu/cpo-tools/job-crafting-exercise/>.

68. Jaramillo et al., *supra* note 17; Rosso et al., *supra* note 40.

69. Robert Biswas-Diener et al., *A Dynamic Approach to Psychological Strength Development and Intervention*, 6(2) J. POSITIVE PSYCHOL. 106, 106-118 (2011); Geoffrey L. Cohen & David K. Sherman, *The Psychology of Change: Self-Affirmation and Social Psychological Intervention*, 65 ANN. REV. PSYCHOL. 333, 333-371 (2014); Kelly McGonigal, *THE UPSIDE OF STRESS: WHY STRESS IS GOOD FOR YOU, AND HOW TO GET GOOD AT IT* (Penguin Random House LLP 2015).

70. Deci & Ryan, *supra* note 43.

71. Edward L. Deci & Richard M. Ryan, *The “What” and “Why” of Goal Pursuits: Human Needs and the Self-Determination of Behavior*, 11 PSYCHOL. INQUIRY 227, 227-268 (2000); Jolanda Jetten et al., *Having a Lot of a Good Thing: Multiple Important Group Memberships as a Source of Self-Esteem*, 10 PLOS ONE 1, 1-29 (2015).

72. Roy F. Baumeister & Mark R. Leary, *The Need to Belong: Desire for Interpersonal Attachments as a Fundamental Human Motivation*, 117 PSYCHOL. BULL. 497, 497-529 (1995).

73. EMILY D. HEAPHY, *BODILY INSIGHTS: THREE LENSES ON POSITIVE ORGANIZATIONAL RELATIONSHIPS* 47-71 (Lawrence Erlbaum 2007).

74. James A. Coan et al., *Lending a Hand: Social Regulation of the Neural Response to Threat*, 17 PSYCHOL. SCI. 1032, 1032-1039 (2006).

75. Simone Schnall et al., *Social Support and the Perception of Geographical Slant*, 44 J. EXPERIMENTAL SOC. PSYCHOL. 1246, 1246-1255 (2008).

76. MATTHEW D. LIEBERMAN, *SOCIAL: WHY ARE BRAINS WIRED TO CONNECT* (Broadway Books 2014).

77. Roy F. Baumeister et al., *Social Exclusion Impairs Self-Regulation*, 88 J. OF PERS. SOC. PSYCHOL. 589, 589-604 (2005).

78. SENDHIL MULLAINATHAN & ELДАР SHAFIR, *SCARCITY: THE NEW SCIENCE OF HAVING LESS AND HOW IT DEFINES OUR LIVES* (Henry Holt & Company LLC 2014).

79. Michael F. Steger, *MEANING IN LIFE*; OXFORD HANDBOOK OF POSITIVE PSYCHOLOGY 679-687 (Oxford University Press 2009).

“incivility and other negative interactions can be toxic”

and a sense of belongingness are major contributors to a sense of meaningfulness at work.⁸⁰

Root Out Incivility. Not all social connections are so positive, however. Incivility and other negative interactions can

be toxic, thwarting the relatedness need and destroying the experience of meaningfulness. Much has been written that denounces the dwindling civility and professionalism in the legal profession.⁸¹ Although reliable data on the issue are hard to find, the general consensus concurs with that view.⁸² Broader cultural forces appear to be a factor, with public polls suggesting rising workplace incivility nationwide.⁸³

Incivility includes low-intensity acts of disrespect, whether or not the conduct is intentionally malicious. It includes, for example, rudeness, sarcasm, belittling others, using a condescending tone, treating others like they're invisible, and taking others for granted. Chronic incivility is corrosive. It depletes people's energy and motivation, increases burnout, and inflicts emotional and physiological damage.⁸⁴ It diminishes productivity, performance, creativity, and helping behaviors for targets of the behavior and for those who see or hear about it.⁸⁵

Although both positive and negative interactions can significantly affect well-being and meaningfulness, generally, “bad is stronger than good.”⁸⁶ This means that negative interactions harm us longer and more deeply than positive ones benefit us.⁸⁷ Given the destructive power of incivility, judges should seek to eradicate it from their own behavior, chambers, and courthouses to protect their own and their colleagues' well-being.

Develop High-Quality Relationships. What we should strive for, though, is not only to eliminate incivility but also to affirmatively foster high-quality relationships and a sense of

belonging among colleagues. An important way relationships effect a sense of meaningfulness is by making people feel that they *matter*.⁸⁸ People feel that they matter at work when others pay attention to them, support and care for them, appreciate them, and also seek their contribution.⁸⁹ Feeling valued and valuable is at the very heart of work engagement.⁹⁰ The opposite of mattering is feeling marginalized—that one does not fit in, is not significant, and is not needed.⁹¹ Colleagues can support each other's sense that they matter and that their work matters through activities, communications, and cues that reinforce that their work is valued by society and influences people's lives, that individual judge's ideas and suggestions are valued, and that their contribution is desired and appreciated.⁹²

Making high-quality connections (HQCs) is one important way to regularly reinforce mattering.⁹³ HQCs are the little bits of positive interactions that occur minute-to-minute during our work days. They are the opposite of incivility.

HQCs are experienced as energizing and uplifting. Each participant has a sense that the other is fully engaged and genuinely cares. Judges can build HQCs with others by, for example, enabling others' success through providing advice, removing obstacles, helping them learn, and nurturing their growth. They can cultivate trust by sharing information, soliciting input, and engaging in some amount of self-disclosure. Judges also can support respectful engagement by being accessible, paying attention to others, listening, being empathetic, and affirming others' value.⁹⁴

Organizing social activities in which colleagues can have fun together also facilitates HQCs⁹⁵ and negatively relates to burnout symptoms.⁹⁶ Judges may balk at “fun” as somehow unjudicial. At least one state court trial judge suggests otherwise, advocating that judges “[g]ive up the notion that professionalism and the nature of the mission of the courthouse means being serious all of the time.”⁹⁷

80. WILLIAM A. KAHN, MEANINGFUL CONNECTIONS: POSITIVE RELATIONSHIPS AND ATTACHMENTS AT WORK 189-206 (Lawrence Erlbaum 2007); Rosso et al., *supra* note 40.

81. Anne M. Brafford, Building the Positive Law Firm: The Legal Profession at Its Best 23-24 (unpublished Master's thesis, University of Pennsylvania 2014) (on file with the University of Pennsylvania Scholarly Commons database) http://repository.upenn.edu/mapp_capstone/62/.

82. *Id.*; Buchanan et al., *supra* note 1, at 15.

83. Christine M. Pearson & Christine L. Porath, *On the Nature, Consequences and Remedies of Workplace Incivility: No Time for “Nice”? Think Again*, 19 ACAD. MANAG. EXEC. 7, 7-18 (2005).

84. JANE E. DUTTON & EMILY D. HEAPHY, THE POWER OF HIGH-QUALITY CONNECTIONS 263-278 (Berrett-Koehler Publishers, Inc. 2002).

85. ABRAHAM CARMELI, POSITIVE WORK RELATIONSHIPS, VITALITY, AND JOB PERFORMANCE 45-71 (Oxford: JAI Press 2009); Pearson & Porath, *supra* note 83; Benjamin M. Walsh et al., *Assessing Workgroup Norms for Civility: The Development of the Civility Norms Questionnaire-Brief*, 27 J. BUS. PSYCHOL. 407, 407-420 (2012).

86. Roy F. Baumeister et al., *Bad Is Stronger Than Good*, 5 REV. GEN. PSYCHOL. 323, 323 (2001).

87. *Id.*; Brafford, *supra* note 21, at 130-32.

88. Kathleen M. Connolly, WORK: MEANING, MATTERING, AND JOB SATISFACTION 3-15 (American Counseling Association 2002).

89. *Id.*; Ae-Kyung Jung, *Interpersonal and Societal Mattering in Work: A Review and Critique*, 63 CAREER DEV. Q. 194, 194-208 (2015).

90. William A. Kahn, *Psychological Conditions of Personal Engagement and Disengagement at Work*, 33 ACAD. MGMT. J. 692, 692-724 (1990).

91. Connolly, *supra* note 88.

92. Ae-Kyung Jung & Mary J. Heppner, *Development and Validation of a Work Mattering Scale*, 25 J. CAREER ASSESSMENT. 467, 467-483 (2017).

93. JOHN PAUL STEPHENS et al., HIGH QUALITY CONNECTIONS; OXFORD HANDBOOK OF POSITIVE ORGANIZATIONAL SCHOLARSHIP 385-399 (Oxford University Press 2012).

94. *Id.*; JANE E. DUTTON, ENERGIZE YOUR WORKPLACE: HOW TO CREATE AND SUSTAIN HIGH-QUALITY CONNECTIONS AT WORK (Jossey-Bass 2003).

95. Barbara Plester & Ann Hutchison, *Fun Times: The Relationship Between Fun and Workplace Engagement*, 38 EMP. RELATIONS 332, 332-350 (2016); Stephens et al., *supra* note 93.

96. Michael J. Tews et al., *Does Fun Pay? The Impact of Workplace Fun on Employee Turnover and Performance*, 54 CORNELL HOSPITALITY Q. 370, 370-382 (2013).

97. Hon. Kevin S. Burke, *It's All About the People Who Work in the Courthouse*, National Center for State Courts (2011) https://ncsc.contentdm.oclc.org/digital/api/collection/ctadmin/id/1845/page/0/inline/ctadmin_1845_0.

While the description of HQCs may sound focused primarily on raising the well-being of others, this is not the case. Both sides benefit from the positive emotions and health-boosting aspects that emanate from energizing interactions as well as from the high-quality relationships for which HQCs are a foundation.⁹⁸ Additionally, because most of us have a robust reciprocity reflex, we want to help others that we like, that have a reputation for helping others, and that have contributed to our own well-being.⁹⁹ HQCs and reciprocity reinforce each other: “HQCs foster the practice of reciprocity; reciprocity builds new connections and improves the quality of connections.”¹⁰⁰ Thus, by creating HQCs with others, we are fostering a culture that also benefits our own well-being.

Closely related to our need for high-quality interpersonal relationships is the experience of belonging and acceptance in groups that are important to us.¹⁰¹ Being part of desirable social groups produces a sense of shared attributes or beliefs that are experienced as meaningful because people feel like they belong to something special.¹⁰² Workplace belongingness has been defined as feeling personally accepted, respected, included, and supported by others and a sense of fit in the social group.¹⁰³ Low scores on workplace belonging scales are strongly associated with depressive symptoms. Proactively carving out our own sense of belonging and fostering it for others are essential strategies for well-being and meaningfulness at work.

Competence-Enhancing Strategies. The next SDT need is competence, which stems from an in-born desire to impact our environment and attain valued outcomes within it.¹⁰⁴ It drives us to seek opportunities to exercise and express our capacities and to seek optimal challenges that stretch our abilities without overmatching them.¹⁰⁵ The need for competence is not primarily about *attaining* a skill or capability but feeling confident and effective as we make progress toward our self-aligned goals or mastery of skills.¹⁰⁶ As discussed below, our competence need can be supported at work by making progress toward goals and personal development.

Set Meaningful Goals and Track Progress. Goal-setting and making progress toward long- and short-term goals help satisfy

our competence need, boost well-being and work engagement, and also foster a sense of meaningfulness.¹⁰⁷ To take advantage of these benefits, judges should consider setting meaningful goals and keeping them salient by tracking progress.

When selecting goals, judges should be mindful of the research noted above showing that intrinsic aspirations (e.g., personal growth, community contributions, etc.) promote well-being and the experience of meaningfulness much more than extrinsic aspirations (e.g., fame, image). Further, the research above suggests that burnout is more likely if we neglect the goals and ideals that we set for ourselves when first entering the profession.¹⁰⁸ Accordingly, judges might reflect on what originally motivated them to become lawyers and judges and consider formulating and tracking goals that match those core values.

To keep their meaningful goals salient, judges might form a new habit of scanning the day’s events and identifying progress on their goals. Research shows that even small steps forward can boost engagement and well-being.¹⁰⁹ The difference between a good day and a bad day at work often comes down to the presence of progress and the absence of a major setback. To keep longer-term goals salient and amplify meaningfulness, judges might consider periodically taking 20 minutes or so to write about progress on their life goals.¹¹⁰

Participate in Personal Development Activities. Other competence-boosting strategies include personal development efforts, coaching, and feedback. These all can play a role in achieving a sense of personal enrichment that helps satisfy the competence need and contributes to a sense of meaningfulness.¹¹¹ Feeling that we are continuously learning, growing, increasing our level of mastery, and enhancing our capacity to respond effectively to challenges provides a strong source of meaning in work.¹¹² In fact, people who are committed to con-

“Low scores on workplace belonging scales are strongly associated with depressive symptoms”

98. WAYNE BAKER & JANE DUTTON, ENABLING POSITIVE SOCIAL CAPITAL IN ORGANIZATIONS 325-345 (J. E. Dutton & B. R. Ragins Eds. 2007).

99. *Id.*; Adam M. Grant, *Leading with Meaning: Beneficiary Contact, Prosocial Impact, and the Performance Effects of Transformational Leadership*, 55 *ACAD. MGMT. J.* 458, 458-476 (2012); Nadav Klein, *Prosocial Behavior Increases Perceptions of Meaning in Life*, *J. POSITIVE. PSYCHOL.* (2016).

100. Baker & Dutton, *supra* note 98, at 326.

101. Wendell D. Cockshaw & Ian M. Shochet, *The Link Between Belongingness and Depressive Symptoms: An Exploration in the Workplace Interpersonal Context*, 45 *AUSTRAL. PSYCHOL.* 283, 283-289 (2010); Jetten et al., *supra* note 71.

102. Martela et al., *supra* note 46; Rosso et al., *supra* note 40.

103. Wendell D. Cockshaw et al., *Depression and Belongingness in General and Workplace Contexts: A Cross-Lagged Longitudinal Investigation*, 33 *J. SOC. CLINICAL PSYCHOL.* 448, 448-462 (2014).

104. Deci & Ryan, *supra* note 71.

105. Deci & Ryan, *supra* note 52.

106. *Id.*

107. Hannah P. Klug & Gunter W. Maier, *Linking Goal Progress and Subjective Well-Being: A Meta-Analysis*, 16 *J. HAPPINESS STUD.* 37, 37-65 (2015); Andrew K. MacLeod et al., *Increasing Well-Being Through Teaching Goal-Setting and Planning Skills: Results of a Brief Intervention*, 9 *J. HAPPINESS STUD.* 185, 185-196 (2008); Patrizia Steca et al., *The Effects of Short-Term Personal Goals on Subjective Well-Being*, 17 *J. HAPPINESS STUD.* 1435, 1435-1450 (2016).

108. Pines & Keinan, *supra* note 30.

109. Teresa Amabile et al., *The HBR List: Breakthrough Ideas for 2010*, 88 *HARV. BUS. REV.* 44, 44-45 (2010); TERESA AMABILE & STEVEN KRAMER, *THE PROGRESS PRINCIPLE: USING SMALL WINS TO IGNITE JOY, ENGAGEMENT, AND CREATIVITY AT WORK* (Harvard Business Review Press 2011).

110. Laura A. King, *The Health Benefits of Writing About Life Goals*, 27 *PERS. SOC. PSYCHOL. BULL.* 798, 798-807 (2001).

111. Bailey et al., *supra* note 20.

112. Rosso et al., *supra* note 40.

“people who are committed to continuous learning are more likely to feel that their work is meaningful”

tinuous learning are more likely to feel that their work is meaningful.¹¹³ On the other hand, when work feels boring, routine, and lacking in challenge, meaningfulness can plummet.

This source of meaning can be difficult for judges, however, for whom there typically is no regular system

for structured development or feedback.¹¹⁴ Most state judicial education systems include mentoring programs,¹¹⁵ which potentially could be expanded to train mentors on basic coaching and feedback skills to further enhance a sense of growth and development. Judges also might monitor their own progress through daily reflection activities. Leadership scholars consistently recommend taking time daily for reflection to help identify what went well, what did not go as well, and what opportunities exist for learning and development.¹¹⁶

Beneficence-Enhancing Strategies. The three needs just discussed—autonomy, relatedness, and competence—are the foundational pillars upon which SDT has been built. But the theory might not be done developing yet. Existing research has established that beneficence, or the desire to have a positive impact on others, is another important pathway to well-being and meaningfulness,¹¹⁷ and that autonomously chosen benevolent acts generate these positive effects by satisfying SDT needs.¹¹⁸ Very recent research further indicates that beneficence may be so fundamental to human well-being as to qualify as a distinct, fourth need under SDT.¹¹⁹ However this academic question ultimately is resolved, the strong existing evidence justifies including beneficence as a crucial component of judicial well-being strategies.

Work, where we spend so much of our time and energy each

day, offers numerous opportunities for satisfying the beneficence need. Many of us have a strong desire for our work to make a positive difference in others' lives,¹²⁰ and the extent to which our work positively impacts others (whom we will call “beneficiaries” of work) or society more generally plays a vital role in work's meaningfulness.¹²¹ In fact, feeling that we are directly helping others or are contributing to the greater good has been found to be the biggest contributor to meaningfulness.¹²² On the flip side, the perceived absence of a positive impact can leave us at greater risk of burnout and reduced job satisfaction.¹²³

Cultivate Feelings of Positive Social Impact. Research identifies several strategies for reminding ourselves how our work positively contributes to others and the greater good. For example, a significant body of research reflects that coming face-to-face with living, breathing people who communicate with us about the positive impact of our work gives a powerful boost to engagement and meaningfulness.¹²⁴ In one study, a college scholarship recipient met with callers who solicited alumni donations. For only five minutes, the recipient talked about how the scholarship had made a difference in his life. One month after the visit, the callers showed average increases of 142% weekly time spent on the telephone and 171% in scholarship funds raised.¹²⁵ A control group who did not meet with a scholarship recipient showed no significant changes in performance.

We can get a boost of meaningfulness even if we don't have direct contact with beneficiaries.¹²⁶ For example, in another study of college fundraisers, their motivation and performance was positively affected by reading letters from scholarship recipients about how the scholarships had helped them.¹²⁷ In a study of pool-side lifeguards (who rarely perform rescues), their perceived social impact, social worth, work hours, and helping behaviors all increased after reading four stories about rescues performed by other lifeguards.¹²⁸

In another study, participants were asked to write about

113. Patricia Boverie et al., *Leading Individual Development and Organizational Change Around Learning, Meaning, and Nurturing Environment*, 15 *ADV. DEV. HUM. RESOURCES* 382, 382-400 (2013); Chalofsky & Cavallaro, *supra* note 63.

114. Celeste F. Bremer, *Reducing Judicial Stress Through Mentoring*, 87 *JUDICATURE* 244, 244 (2004).

115. *Id.*; Celeste F. Bremer, *Impact of a Mentoring Program on Occupational Stress, Personal Strain, and Coping Resources of Newly Appointed U.S. Magistrate Judges* (unpublished Doctoral dissertation, Drake University 2002) <https://escholarshare.drake.edu/handle/2092/457>.

116. E.g., Nancy J. Adler, *Want to Be an Outstanding Leader? Keep a Journal*, *HARV. BUS. REV.*, Jan. 13, 2016; Dan Ciampa, *The More Senior Your Job Title, the More You Need to Keep a Journal*, *HARV. BUS. REV.* (July 7, 2017).

117. E.g., Klein, *supra* note 99; Frank Martela & Richard M. Ryan, *Prosocial Behavior Increases Well-Being and Vitality Even Without Contact with the Beneficiary: Causal and Behavioral Evidence*, 40 *MOTIVATION & EMOTION* 351, 351-357 (2016); Martela & Ryan, *supra* note 44; Martela et al., *supra* note 46.

118. Martela & Ryan, *supra* note 117.

119. Martela & Ryan, *supra* note 44.

120. Grant, *supra* note 15.

121. Connolly, *supra* note 88; ADAM M. GRANT, *GIVE AND TAKE* (Penguin Books 2012).

122. Allan, *supra* note 17; Adam M. Grant, *The Significance of Task Significance: Job Performance Effects, Relational Mechanisms, and Boundary Conditions*, 93 *J. APPL. PSYCHOL.* 208, 208-124 (2008).

123. Adam M. Grant & Elizabeth M. Campbell, *Doing Good, Doing Harm, Being Well and Burning Out: The Interactions of Perceived Prosocial and Antisocial Impact in Service Work*, 80 *J. OCCUPATIONAL ORG. PSYCHOL.* 665, 665-91 (2007); Pines & Keinan, *supra* note 30.

124. Grant, *supra* note 15; Grant, *supra* note 122.

125. Adam M. Grant et al., *Impact and the Art of Motivation Maintenance: The Effects of Contact with Beneficiaries On Persistence Behavior*, 103 *ORG. BEHAV. HUM. DECISION PROC.* 53, 53-67 (2007); Adam M. Grant, *How Customers Can Rally Your Troops: End Users Can Energize Your Workforce Far Better Than Your Managers Can*, 89 *HARV. BUS. REV.* 97, 97-103 (2011).

126. Martela & Ryan, *supra* note 44.

127. Grant, *supra* note 122.

128. *Id.*

recent experiences in which they had benefited others.¹²⁹ Over the next few weeks, when participants came to pick up payments for participating in the study, they were invited to make a contribution to victims of a recent natural disaster. Participants who had written about giving to others were significantly more likely to donate compared to those who engaged in other writing activities. The findings suggested that the reflective writing exercise increased the salience of helping activities and participants' "giver" identities, which encouraged more giving.

Together, these findings suggest several strategies for judges to enhance their sense of social impact and meaningfulness. For example, judges might take time periodically to reflect on all the ways that they positively contribute to others and the greater good through their work. This can help boost their appreciation of meaningful experiences and interactions as they occur.¹³⁰ When judges overlook or discount the many ways that they may be benefiting others in the midst of their hectic schedules, they miss out on opportunities to boost the meaningfulness of their work and their own well-being.

The research above also reflects that having in-person encounters or reading vivid accounts of how beneficiaries have been positively impacted may boost meaningfulness. Business organizations have sought to take advantage of the positive consequences of this research in a variety of ways. For example, Medtronic has an annual custom of inviting patients to its holiday party to share stories about how the company's technology has helped them. At Wells Fargo, managers show bankers videos of people describing how low-interest loans rescued them from severe debt. Olive Garden shares letters from customers describing meaningful events celebrated at the company's restaurants.¹³¹

Carrying out this strategy can be tricky for judges, though—both in identifying the "beneficiaries" of judges' work (e.g., who is the positively impacted "beneficiary" when judges issue criminal sentences or resolve business-to-business civil disputes?) and how judges might appropriately connect with beneficiaries to learn how they were positively impacted.

Nonetheless, judges might think of innovative ways to adapt the above-mentioned strategies. Judges, courthouses, or judicial conferences could consider, for example, collecting vivid letters, creating videos (often done by public law centers

to encourage pro bono work), or organizing events that allow the court's beneficiaries to share their stories of how judges have made a positive difference in their lives. Doing so could provide a potent boost to judges' experience of meaningfulness as well as their well-being.

Increase Benevolence During Everyday Contacts with Beneficiaries.

Judges also could consider how to increase their benevolence during their daily interactions with people involved in the court system. As noted above, people who regularly engage in benevolent acts have greater need-satisfaction, well-being, and sense of meaningfulness.¹³² And by treating beneficiaries as valuable human beings, we perceive our work as more valuable and worthy, which, in turn, makes our work more meaningful.¹³³

Innovative strategies that hold potential for enhancing benevolence in the courthouse are recommended by the Comprehensive Law Movement. This growing movement advocates for a more humanistic approach to resolving legal disputes, including greater attention to psychological well-being of those involved in the legal process and treating everyone with respect and dignity.¹³⁴ This more humanistic approach may provide a better fit for judges and lawyers who are "desperate for work that matters, makes sense, makes a difference, is moral, is valuable and valued and produces sustainable outcomes."¹³⁵ In short, it may provide a strong sense of meaning and purpose.¹³⁶

Manage "Compassion Fatigue." In contrast to the emerging perspective of the Comprehensive Law Movement, a more traditional perspective casts judges as rationally administering the law in an emotionally detached, depersonalized manner.¹³⁷ Research reflects, however, that attempting to depersonalize others or suppress our emotions and natural empathetic response to others' distress can harm our own health,¹³⁸ and damage our ability to derive meaning from our work.¹³⁹

On the other hand, becoming too involved in others' suffering—called "empathetic distress"—can backfire and also lead to burnout.¹⁴⁰ Empathetic distress arises when we take on the suffering person's emotional state and personally experience

"people who regularly engage in benevolent acts have greater need-satisfaction, well-being, and sense of meaningfulness"

129. Adam M. Grant & Jane E. Dutton, *Beneficiary or Benefactor: The Effects of Reflecting About Receiving Versus Giving on Prosocial Behavior*, 23 PSYCHOL. & SCI. 1033, 1036 (2012).

130. *Id.*

131. Grant & Dutton, *supra* note 129.

132. Martela & Ryan, *supra* note 44.

133. Grant, *supra* note 15.

134. Daicoff, *supra* note 5, at 197-201.

135. Susan S. Daicoff, *The Future of the Legal Profession*, 37 MONASH U. L. REV. 7, 9 (2011).

136. Sullivan, *supra* note 6.

137. Thomas D. Barton, *Troublesome Connections: The Law and Post-Enlightenment Culture*, 47 EMORY L. J. 163 (1998).

138. Joshua D. Margolis & Andrew Molinsky, *Navigating the Bind of*

Necessary Evils Psychological Engagement and the Production of Interpersonally Sensitive Behavior, 51 ACAD. MGMT. J. 847, 847-872 (2008); Terry A. Maroney, *The Emotionally Intelligent Judge: A New (and Realistic) Ideal*, 49 CT. REV. 100, 100-113 (2013); Resnik et al., *supra* note 1.

139. Krasner et al., *supra* note 22.

140. OLGA KLIMECKI & TANIA SINGER, EMPATHIC DISTRESS FATIGUE RATHER THAN COMPASSION FATIGUE? INTEGRATING FINDINGS FROM EMPATHY RESEARCH IN PSYCHOLOGY AND SOCIAL NEUROSCIENCE 368-384 (Oxford University Press 2007); Jill Suttie, *Should We Train Doctors for Empathy?* University of California Berkeley (July 8, 2015) https://greatergood.berkeley.edu/article/item/should_we_train_doctors_for_empathy.

“It is important to distinguish between healthy compassion and unhealthy empathetic distress”

their distress. This unhealthy response can be distinguished from compassion, in which we feel concern for others’ suffering and a desire to help, but we do not personally take on their suffering.¹⁴¹

Judges may be especially susceptible to empathetic distress (sometimes called compassion fatigue or empathetic stress

fatigue¹⁴²), as there is no end to the streams of difficult cases and sad stories that come before them and only a limited ability for them to provide help. Additionally, judges often do not know the long-term impact of their decisions—and, in many cases, never see the people they have impacted again. As a result, some judges might come to see their work as futile—as meaningless. The result may be learned helplessness¹⁴³ or “compassion collapse” in which they turn off compassion (and turn up their risk of burnout) as a defense mechanism to avoid feeling overwhelmed by the sense that they are unable to make much of a difference.¹⁴⁴

To help judges avoid compassion collapse and maintain a sense of meaningfulness under such difficult circumstances, they should be encouraged to remain engaged in emotionally healthy ways. It is important to distinguish between healthy compassion and unhealthy empathetic distress. Compassion actually protects against burnout and depression¹⁴⁵ and potentially improves the quality of judgments.¹⁴⁶ Thus, the goal is not to shut off emotions but to channel them in a productive, healthy way. One strategy for judges to build this capacity is by adopting a mindfulness meditation practice. Mindfulness skills can enhance judges’ ability to accept experiences without judging them, help them avoid compassion collapse,¹⁴⁷ and enable them to continue to derive meaning from their work.¹⁴⁸

FOSTER A NEED-SUPPORTING WORKPLACE CULTURE THROUGH POSITIVE LEADERSHIP

Through their roles as leaders, judges can seek to build

work cultures that support SDT needs and foster meaningfulness. They can do so by applying all of the evidence-based strategies above in ways designed to positively impact colleagues and staff and also can experiment with the additional strategies below.

Become a Transformational Leader. Transformational leadership is a style of positive leadership that “is based on vision, trust-building, core values, continuous learning and long-term sustainability.”¹⁴⁹ These leaders are distinguished by their commitment to influencing followers to do great things by speaking to their own needs, values, and the greater good rather than appealing solely to self-interest through a simple transactional model of work for pay.¹⁵⁰

A major way that transformational leaders are effective is by cultivating an environment conducive to the satisfaction of SDT needs¹⁵¹ and the experience of meaningful work for others.¹⁵² They engage in inspirational behaviors, including articulating a compelling vision, expressing optimism about the future and capacity to achieve and succeed, bolstering collective identities, and affirming core values and ideals.¹⁵³ As a result of transformational leaders’ words and actions, people grow to view the organization’s core values as aligned with their own, which enhances self-congruence and makes work more meaningful.¹⁵⁴ By boosting people’s experience of meaningful work, transformational leaders help improve their psychological well-being¹⁵⁵ and engagement¹⁵⁶ and minimize depressive symptoms.¹⁵⁷

Shape the Experience of Meaningful Work for Others. One tool that transformational leaders use to make meaning more salient in followers’ every-day work lives is “framing”—which is simply a way of presenting information in ways that call attention to certain aspects of a situation and minimize others.¹⁵⁸ How we frame our world—and how it is framed for us—can have a very real impact on our emotions, motivation, and performance. Transformational leaders frame work in ways that call followers’ attention to its importance and value, including how it benefits others, contributes to the greater good, or aids their individual growth.¹⁵⁹

Other tools used by transformational leaders are charis-

141. Klimecki & Singer, *supra* note 140.

142. *Id.*

143. Grant, *supra* note 15.

144. C. Daryl Cameron, *How to Increase Your Compassion Bandwidth*, GREATER GOOD MAG. (January 16, 2013) https://greatergood.berkeley.edu/article/item/how_to_increase_your_compassion_bandwidth.

145. Suttie, *supra* note 140; David Turgoose & Lucy Maddox, *Predictors of Compassion Fatigue in Mental Health Professionals: A Narrative Review*, 23 TRAUMATOLOGY 172, 172-185 (2017).

146. Jill Suttie, *Do We Need More Empathetic Judges?* University of California Berkeley (June 22, 2016) https://greatergood.berkeley.edu/article/item/do_we_need_more_empathic_judges.

147. Cameron, *supra* note 144.

148. Krasner et al., *supra* note 22.

149. Linda M. Sama & Victoria Shoaf, *Ethical Leadership for the Professions: Fostering a Moral Community*, 78 J. BUS. ETHICS 39, 39 (2007).

150. Grant, *supra* note 122.

151. Snjezana Kovjanic et al., *Transformational Leadership and Perfor-*

mance: An Experimental Investigation of the Mediating Effects of Basic Need Satisfaction and Work Engagement, 86 J. OCCUPATIONAL ORG. PSYCHOL. 543, 543-555 (2013).

152. Fred O. Walumbwa et al., *TRANSFORMATIONAL LEADERSHIP AND MEANINGFUL WORK; PURPOSE AND MEANING IN THE WORKPLACE* (American Psychological Association 2013).

153. *Id.*; Grant, *supra* note 122; Rosso et al., *supra* note 40.

154. Jaramillo et al., *supra* note 17.

155. Arnold et al., *supra* note 17.

156. Mohammed Y. Ghadi et al., *Transformational Leadership and Work Engagement*, 34 LEADERSHIP & ORG. DEV. J. 532, 532-550 (2013).

157. Kaisa Perko et al., *Transformational Leadership and Depressive Symptoms Among Employees: Mediating Factors*, 35 LEADERSHIP & ORG. DEV. J. 286, 286-304 (2014).

158. Dean J. Cleavenger & Timothy P. Munyon, *It’s How You Frame It: Transformational Leadership and the Meaning of Work*, 56 BUS. HORIZONS 351, 351-360 (2013).

159. Grant, *supra* note 122; Walumbwa et al., *supra* note 152.

matic forms of influence that rely on emotional appeal and symbolism¹⁶⁰—which may not come naturally to many judges who are more accustomed to rational arguments. As one state trial court judge recently put it, “Frankly, many court leaders are charismatically challenged.”¹⁶¹ Without expressive forms of communication and symbolism, however, meaningfulness can wane and life can become “an endless set of Wednesdays.”¹⁶² To boost emotional appeal, judicial leaders can consider a greater use of stories; conveying moral conviction; communicating high expectations and confidence that they can be met; using rhetorical devices (e.g., contrasts, lists, rhetorical questions); and non-verbal and verbal cues that convey enthusiasm and positivity.¹⁶³

Foster a Sense of Belonging. Transformational leaders also can use symbolic approaches to help satisfy followers’ basic need for belonging. We experience a sense of belonging when we are so personally involved in a system or social network that we feel that we are an integral part of it.¹⁶⁴ A sense of belonging can be fostered around any community in which people perceive some commonality with others.¹⁶⁵ For judges, this could include, for example, the judiciary generally, the community of judges within the same courthouse, our court system, all courthouse personnel, or the legal profession as a whole. Transformational leaders can help satisfy the need for belonging within a particular community by creating shared experiences through, for example, rituals and ceremonies to confirm values and provide opportunities for bonding, to celebrate occasions, to mark transitions, and to foster a sense of belonging to a valued community of practice.¹⁶⁶

Organize Judicial Round Tables. To foster a sense of community and meaningfulness, transformational leaders might also form or facilitate judicial mentoring circles or round table discussions at judicial conferences—a practice that already has been piloted.¹⁶⁷ These groups could adapt practices from the medical profession which, for years, has structured opportuni-

ties at the workplace or during conferences for doctors to meet in small groups to share stories about meaningful events.¹⁶⁸

Highlight Moral Exemplars. Another potential strategy for leaders to enrich interpersonal connections and enhance meaningfulness is to call attention to moral exemplars that inspire people to act more kindly and helpful to each other. One study found that “other-praising” positive emotions (elevation, gratitude, and admiration) all motivated people in prosocial ways.¹⁶⁹ They found that elevation motivated people to want to be kind or warm to others; gratitude made people want to connect with their benefactors or to “give back” more generally; and admiration had an energizing effect that made people want to work harder to reach their goals. Judges might consider public acknowledgment and story-telling about judges and other courthouse staff who have done admirable acts and about events that are elevating.

Be Sincere. For all of these strategies, it is important that judicial leaders be sincere. Transformational behaviors used by manipulative hypocrites can backfire,¹⁷⁰ decimating commitment and motivation and leaving corrosive cynicism in their place.¹⁷¹ Judges who aspire to be transformational leaders should take care to develop an authentic approach and to walk their talk consistently. In the rush of daily schedules, it is easy to focus on all of the annoyances demanding our attention—and, in the process, allow meaningfulness to dwindle.

CONCLUSION

Promoting well-being is an imperative for the legal profession generally and for judges in particular. As discussed above, aspects of judges’ work make them vulnerable to burnout, which can thwart their health, happiness, and professionalism. On the bright side, the large-scale study of more than 6,000

“Frankly, many court leaders are charismatically challenged”

160. John Atonakis et al., *Can Charisma Be Taught? Tests of Two Interventions*, 10 ACAD. MGMT. LEARNING & EDUC. 374, 374–396 (2011); Amir Erez et al., *Stirring the Hearts of Followers: Charismatic Leadership as the Transferal of Affect*, 93 J. APPL. PSYCHOL. 602, 602-615 (2008).

161. Burke, *supra* note 97.

162. LEE BOLMAN & TERRENCE E. DEAL, *REFRAMING ORGANIZATIONS: ARTISTRY, CHOICE, AND LEADERSHIP* 404-05 (John Wiley & Sons 2013).

163. Atonakis et al., *supra* note 160.

164. Bonnie M. K. Hagerty et al., *Sense of Belonging: A Vital Mental Health Concept*, 6 ARCHIVES PSYCHIATRIC NURSING, 172, 172–7 (1992); Leah Turner & Suzanne McLaren, *Social Support and Sense of Belonging as Protective Factors in the Rumination-Depressive Symptoms Relation Among Australian Women*, 51 WOMEN & HEALTH, 151, 151-167 (2011).

165. RUTH BLATT & CARL T. CAMDEN, *POSITIVE RELATIONSHIPS AND CULTIVATING COMMUNITY* 243-264 (J.E. Dutton & B.R. Ragins eds. 2007).

166. Bolman & Deal, *supra* note 162, at 308-09; Jeanne Nakamura & Mihaly Csikszentmihalyi, *THE CONSTRUCTION OF MEANING THROUGH VITAL ENGAGEMENT* 83-104 (American Psychological Association 2003); Aaron C. T. Smith & Bob Stewart, *Organizational Rituals: Features, Functions, and Mechanisms*, 13 INTL. J.

MGMT. REV. 113, 113–133 (2011).

167. Buchanan et al., *supra* note 1, at 23-24; Hon. Sallie Krauss et al., *Judicial Roundtables*, American Bar Association (Sept. 2011) https://www.americanbar.org/content/dam/aba/administrative/la_wyer_assistance/ls_colap_judicial_Roundtable_Protocols.authcheckdam.pdf.

168. THOMAS COLE & NATHAN CARLIN, *FACULTY HEALTH AND THE CRISIS OF MEANING: HUMANISTIC DIAGNOSIS AND TREATMENT* 147-156 (Humana Press 2009); Carol R. Horowitz et al., *What Do Doctors Find Meaningful About Their Work?*, 138 ANN. INTERNAL MED. 772, 772–775 (2003); Tait D. Shanafelt, *Enhancing Meaning in Work*, 302 JAMA 1338, 1338-1340 (2009); Colin P. West et al., *Intervention to Promote Physician Well-Being, Job Satisfaction, And Professionalism: A Randomized Clinical Trial*, 174 J. AMER. INTERN. MED. 527, 527–533 (2014).

169. Sara B. Algoed & Jonathan Hvidt, *Witnessing Excellence in Action: The “Other-Praising” Emotions and Elevation, Gratitude, and Admiration*, 4 J. POSITIVE PSYCHOL. 105, 105-27 (2009).

170. Bailey et al., *supra* note 15.

171. Sandra E. Cha & Amy C. Edmondson, *When Values Backfire: Leadership, Attribution, and Disenchantment in a Values-Driven Organization*, 17 LEADERSHIP Q. 57, 57-78.

lawyers referenced above found that, of all the categories of lawyers examined, judges had the highest life satisfaction, the highest ratio of positive to negative emotions, and the lowest level of depressive symptoms.¹⁷² These findings provide some evidence that, while judges face many obstacles to well-being, they also can feel optimistic that their jobs can support a happy, healthy life.

Judges may neglect their own health and happiness, however, viewing these topics as frivolous or as ancillary to the important and serious work that they do as judges. But judges' well-being is not only a personal matter. Indeed, "[g]iven the impact of judicial decisions on people's lives, courts have a duty to consider and promote judicial wellbeing."¹⁷³ They owe a responsibility not only to themselves to craft happy, satisfying lives but also to protect their professional competency and be their best at work. As the above reflects, multiple strategies are available for judges to do so. For many judges, the time is overdue to replace their old attachments to rigid self-reliance with the wisdom of well-being educator Eleanor Brown, who advised, "Self-care is not selfish. You cannot serve from an empty vessel."



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172. Krieger & Sheldon, *supra* note 49.

173. Schrever, *supra* note 25, at 29.



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