

OUR PROFESSIONAL RESPONSIBILITY

For Enabling All Lawyers to Thrive

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The legal profession has taken unprecedented steps to improve diversity, equity, and inclusion (DEI) and lawyer mental health, but many legal employers still are struggling to create workplace cultures that enable lawyers to thrive. This is especially true for women lawyers and lawyers of color, who report lower quality workplace experiences and depart law firms at higher rates than their white male counterparts. This entrenched pattern thwarts the profession's aspiration to improve diversity. Taking action is the right thing to do and also is encouraged by professional rules of responsibility. This paper discusses the relevant rules and includes a list of resources for legal employers to cultivate workplace cultures in which all lawyers can be their best.

I. Our Professional Responsibilities for Diversity, Inclusion, & Well-Being

Lawyers' responsibilities for fostering workplace cultures that are fair, civil, respectful, inclusive, and supportive of mental well-being derive from multiple sources:

>>> Professional Responsibility for Diversity & Inclusion

The American Bar Association's (ABA) Model Rules for Minimum Continuing Legal Education (MCLE) include a specialty credit for "Diversity and Inclusion Programming" (see ABA MCLE § 3(A)(2)(c)), which is defined to mean "CLE Programming that addresses diversity and inclusion in the legal system of all persons regardless of race, ethnicity, religion, national origin, gender, sexual orientation, gender identity, or disabilities, and programs regarding the elimination of bias." ABA MCLE § 1(C). The MCLE Notes advise that diversity and inclusion programming "can be used to educate lawyers about implicit bias, the needs of specific diverse populations, and ways to increase diversity in the legal profession."

The 2017 Report of the [National Task Force on Lawyer Well-Being](#) (referenced below) underscored the link between DEI and well-being and recommended that all stakeholders across the profession "urgently prioritize diversity and inclusion" (see Report Recommendation Nos. 6.0 & 6.1, pp. 15-16).

Research suggests that the legal profession still has much work to do to achieve diverse, inclusive workplace cultures:

- A 2021 study by the ABA titled [Practicing Law During the Pandemic](#) found it "distressing" that:

"[O]ver 47% of lawyers of color feel stress at work on account of their race or ethnicity, and 52% of women lawyers feel stress at work on account of their gender. Our data should raise alarm bells that there is a real potential for an exodus of diverse talent if implicit biases and differential treatment are not redressed."

The report recommended developing leaders who "communicate with empathy" and enable lawyers "to feel valued, appreciated, and understood" as well as strengthening wellness and mental health programs (Scharf et al., 2021). Similarly, NALP's 2020 [Diversity Best Practices Guide](#) advises that "[i]mproving individual leadership competencies necessarily contributes to a more inclusive and rewarding work environment" (NALP 2020, p. 7).

- A [2021 study](#) of nearly 3,000 practicing lawyers in California and DC found that 1 in 4 women were contemplating leaving the legal profession due to mental health problems, burnout, or stress—and **that women experiencing high work-life conflict were about 4.5 times more likely to leave.** It

found that women lawyers experienced more mental health distress, greater levels of over commitment and work family conflict, and lower prospects of promotion than men. Generally, work-life conflict is related to higher depression, anxiety, emotional exhaustion, illness symptoms, and alcohol misuse (Sirgy & Lee, 2018), with one recent study finding that it was the largest contributor to poor mental health (depression, anxiety, etc.) of all factors studied (Nordenmark et al., 2020). Research in the legal profession has found that overcommitment and work-life spillover—measures of lawyers’ inability to turn off thoughts of work when not working—are highly predictive of depressive symptoms (e.g., Bergin & Jimmieson, 2013; Joudrey & Wallace, 2009), as is work-life conflict (e.g., Kolati et al., 2018).

- A 2020 survey for the [ABA’s Profile of the Legal Profession](#) reflects that “the legal profession has been very slow to diversify by race and ethnicity over the past decade.” This is especially true for law firm leadership—which is “overwhelmingly white and male.” In 2020, about 70% of law firm leaders were white men; 20% were white women; 7% were male lawyers of color; and 3% were female lawyers of color.
- The same ABA survey found that lawyers of color were twice as likely to leave U.S. law firms during a typical year as white lawyers. Specifically, about 11% of white lawyers (roughly 1 in 9) left law firms in 2019—compared to higher attrition of Black lawyers (21%), Hispanic lawyers (21%), and Asian lawyers (18%). Female lawyers were somewhat more likely (13%) than male lawyers (10%) to leave their firms. The difference in attrition rates was biggest among law firms that have 101 to 400 lawyers.
- The National Association of Women Lawyers’ (NAWL) [2020 report](#) found that, in

the largest 200 law firms, women lawyers are underrepresented in all levels of firm leadership, including on governance committees, compensation committees, firm-wide managing partner positions, and office managing partner positions (Peery, 2020). And only 21% of equity partners and 31% of non-equity partners are women (Peery, 2020). This shortage of women in law firms’ upper echelons cannot be explained by a pipeline deficit: For over a decade, about 50% of law school graduates have been women, and a pool of women candidates is concentrated in the lower ranks of law firms: 47% of associates are women (Peery, 2020). The 2020 report found that, rather than choosing strategies with the greatest potential for achieving gender equity, firms have preferred “activities that signal a commitment to diversity” but are less likely to produce it (Peery, 2020, p. 4).

- Based on current promotion rates, the gender gap in partnership will continue beyond the next decade: “Women are forecast to represent only 37% of nonequity
- partners and 27% of equity partners in 2030” (Scharf & Liebenberg, 2021).
- NAWL’s 2012 [Report of a National Survey of Women’s Initiatives](#) found that, of the 200 largest law firms that participated, nearly all (97%) said that they had women’s initiatives. But most were “woefully underfunded” and under-developed.
- A joint report published in 2019 by the ABA’s Commission on Women in the Profession and the Minority Corporate Counsel Association (MCCA) titled [Interrupting Bias in the Legal Profession You Can’t Change What You Can’t See: Interrupting Racial and Gender Bias in the Legal Profession](#) found that women lawyers and lawyers of color had lower quality work experiences than white, male lawyers.
- A 2019 survey of Millennial lawyers found that 45% of women (and only 14% of men)

strongly agreed that U.S. law firm culture is “inherently sexist” (Russell-Kraft, 2019). It also found that 63% of women (and only 37% of men) agreed that law firms should prioritize building diverse and inclusive workforces.

- A 2018 survey found that 79% of managing partners believe that their firm has made gender diversity a priority, but only 54% of women lawyers agree (Liebenberg, 2018). It also found that 74% of the women reported receiving demeaning communications compared to just 8% of men.
- Commentators have criticized law firms’ hyper-masculine cultures with “ideal worker” standards that destroy women lawyers’ sense of fit and belonging (e.g., Bolton & Muzio, 2007; Collier, 2013; Furlong, 2017; Goulbourne, 2018; McGinley, 2013).
- Recent studies in the U.S. have found that, aside from care commitments and work-life conflict, women lawyers leave or are dissatisfied with their law firm jobs for reasons related to workplace culture, including:
 - Feeling undervalued.
 - Feeling that their jobs are not challenging, meaningful, or satisfying.
 - Emphasis on business generation.
 - Level of stress at work.
 - Declining collegiality due to hyper-competitiveness.
 - Inability to build high-quality relationships with colleagues due to work demands.
 - Lack of diversity in firm leadership.
 - Discriminatory attitudes toward women who use work-life balance-related policies.
 - Pay disparities and unfair promotion decisions.
 - Unfair credit allocation.

- Sex biased behavior in, e.g., evaluation of competence, selection for opportunities, and perceptions of self-promotion (see Liebenberg & Scharf, 2019; Managan, et al., 2016; Peery et al., 2020; Sterling & Chanow, 2021; Sterling, & Reichman, 2016; Williams et al., 2018).

- Ongoing research in the legal profession by Stephanie Scharf and Roberta Liebenberg reflects that effective DEI approaches must attend to the quality of workplace culture: “[W]hile some lawyers may go to the highest bidder — which carries its own long-term risks — our research suggests that many female lawyers and lawyers of color care as much, if not more, about the culture of firms where they work, and whether that culture is genuinely inclusive, welcoming and appreciative of the differences they bring to the table.” (Scharf, & Liebenberg, 2021).
- A [2015 article in *The Washington Post*](#) that reviewed diversity data in the legal profession concluded:

“Law is the least diverse profession in the nation. And lawyers aren’t doing enough to change that.”

>>> Professional Responsibility for Mental Health

The Model Rules also include a specialty credit for “Mental Health and Substance Use Disorder Programming” (MCLE, § 3(A)(2)(b)), which encompasses the prevention of mental health disorders that can affect a lawyer’s ability to perform competent legal services. MCLE, §1(J). The state bar associations of both Vermont and Virginia have added comments to Rule 1.1 (their professional competency rule) making it clear that lawyers’ mental, emotional, and physical well-being are implicated by the Rule. In California, the language of Rule 1.1(b) expressly references mental, emotional, and physical ability as part of professional competence.

While well-being should be a top priority in the legal profession given lawyers’ enormous

level of responsibility to others, evidence suggests it is not. For example, in 2016, the ABA and Hazelden Betty Ford Foundation sponsored [a study](#) based on surveys of nearly 13,000 practicing lawyers from across the U.S. (Krill et al., 2016). The study found shockingly high rates of risky alcohol use (21%) and elevated symptoms of depression (28%) and anxiety (19%) for many lawyers. Even sub-clinical depressive symptoms matter because they strongly predict the development of a depressive disorder (Cuijpers & Smit, 2004).

Response to Lawyers' Languishing Mental Health

In response to the study, multiple initiatives have pushed the profession to confront obstacles to lawyer well-being. For example, in 2017, the National Task Force on Lawyer Well-Being published [a report](#) titled *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*. The Report provides detailed recommendations to stakeholders across the legal profession for identifying and addressing obstacles to lawyers' healthy functioning. The Report catalyzed a profession-wide movement to better understand the problems and create solutions.

After publication of the National Task Force's Report, [the ABA approved Resolution 105](#), which endorses the goal of reducing mental health and substance use disorders and improving the well-being of lawyers, judges, and law students. The Resolution also urges members of the legal profession to consider the Report's recommendations. Additionally, then-ABA President Hilarie Bass created a Presidential initiative called the Working Group to Advance Well-Being in the Legal Profession. That Working Group was responsible for launching the [ABA Well-Being Pledge](#) in 2018, which asked legal employers to commit to a [7-point framework](#) for improving well-being. It also published the [ABA Well-Being Toolkit for Lawyers and Legal Employers](#).

In 2020, the National Task Force was renamed the [Institute for Well-Being in Law](#)

(IWIL) and was formally organized as a nonprofit. In 2021, IWIL conducted a survey of 770 lawyers that found that 63% met the cutoff score for burnout. Burnout is a debilitating response to chronic stress that can have serious psychological and physiological effects. It increases the risk of depression, substance abuse, and suicidal thinking; can reduce self-regulation capacity necessary for civility and deliberative thinking; and is tied to dishonesty and unethical behavior ([Brafford & Rebele, 2018](#)).

Protecting Well-Being as Integral to Protecting Professional Competence

The National Task Force Report proposed that lawyers should protect their well-being for multiple reasons, including that it is an integral part of their ethical duty of competence. Rules 1.1 and 1.3 of the ABA Model Rules of Professional Conduct establish lawyers' duty to represent their clients competently and diligently, which encompasses not only acquiring essential legal knowledge but also being diligent, prompt, thorough, and prepared. Poor mental health can interfere with lawyers' ability to satisfy these duties.

Defining Mental Health

Protecting and promoting mental health is not simply a matter of treating illness. The World Health Organization (WHO) defines "health" as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity." It defines "mental health" as "a state of well-being in which every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to contribute to her or his community." Full mental health comprises our ability to think, feel, and behave in a manner that enables us to perform effectively in all domains of our lives (CSA Group, 2014). Psychological or mental health is a dynamic state in which people's cognitive, social, and emotional skills enable them to:

- Act functionally and flexibility to realize their own potential and abilities in accordance with their values
- Build strong relationships
- Cope with the normal stresses of life
- Work productively and creatively
- Harmonize the interconnection between body and mind, and
- Contribute to their communities (Galderisi et al., 2015; Robinson et al., 2013; WHO, 2004).

>>> Professional Responsibility for Ethics & Professionalism

The Model Rules also require “Ethics and Professionalism Programming” that encompasses “tenets of the legal profession by which a lawyer demonstrates civility, honesty, integrity, character, fairness, competence, ethical conduct, public service, and respect for the rules of law, the courts, clients, other lawyers, witnesses, and unrepresented parties.” MCLE §1(D).

Much has been written denouncing the dwindling civility and professionalism in the legal profession (Brafford, 2014; [Report of the National Task Force on Lawyer Well-Being, 2017](#)) and, nation-wide, evidence suggests a rise in workplace incivility and bullying across industries (Brafford, 2017a). Due to these concerns, the 2017 National Task Force Report recommended that law firms adopt internal professionalism standards, devise strategies to promote wide-scale, voluntary observance of those standards, and ensure that leaders act as effective role models (see Report Recommendation No. 6, pp. 15-16). The Report noted that exemplary standards of professionalism are inclusive—encouraging respect and acceptance for individuals across the diverse workforce.

Workplace cultures in which lawyers hold each other accountable for civility, fairness, and respect not only protect professionalism standards but also will contribute to the experience of inclusion and support mental

health. The experience of work-related incivility predicts depressive symptoms among lawyers (Joudrey & Wallace, 2009). And interpersonal conflict has been called “one of the largest reducible organizational costs and the single most important workplace stressor for organizations to address” (Wright et al., 2017, cited in Brafford, 2020a). It’s highly related to psychological distress and can significantly damage employees’ sense of belonging. Interpersonal work conflict has been defined to include:

- Feeling treated unfairly,
- Disagreements over work,
- Feeling disrespected or underappreciated
- Being treated with hostility or rudely
- Being yelled at, and
- Feeling blamed or criticized unfairly.

Taking steps to minimize uncivil behaviors and enable lawyers to constructively handle conflict will benefit DEI goals, well-being, and lawyer performance.

>>> Professional Responsibility for Supervision & Law Practice Management

Also covered by the AB Model Rules is “Law Practice Programming,” which encompasses programming for lawyers that deal with the means and methods for enhancing the quality and efficiency of lawyers’ services. MCLE, § 1(H). Additionally, according to MCLE Rule 5.1, law firm partners and other supervisory lawyers must provide reasonable supervision to assure that all lawyers conform to the Rules of Professional Conduct. These Rules suggest management-level responsibility for ensuring workplace cultures that are fair, civil, and respectful and support lawyers’ competent practice of law.

II. Our Collective Responsibility for Fostering Professional, Inclusive Workplace Cultures That Support Well-Being for All Lawyers

The above matters of professional responsibility overlap: Creating workplace cultures that foster the experience of inclusion

for minority and women lawyers and cultivate civility, integrity, fairness, and respect will uphold professionalism standards; positively impact all lawyers' mental health (including women and minority lawyers); enable women and minority lawyers to be their best for their clients, colleagues, and communities; and help increase diversity in the legal profession by attracting and retaining women lawyers and lawyers of color.

Workplace Inclusion is Essential for Well-Being and Full Functioning

All people have basic needs to feel that they belong, are accepted and valued for who they are as individuals, and can be effective in things that matter to them (Brafford, 2021a). The experience of inclusion arises from fulfillment of these needs. It can be defined as people's perception of being an esteemed member of their work group through experiences that satisfy their basic human needs for belonging, individuality or authenticity, and effectiveness (e.g., Brafford, 2021a; Ferdman, 2014; Shore et al., 2011). At its core, inclusion is a personal experience of feeling "safe, trusted, accepted, respected, supported, valued, fulfilled, engaged, and authentic," both as individuals and as members of particular identity groups (Ferdman et al., 2010, p. 14). An inclusive work culture is a positive social climate for people of all social identities (Kang, 2019):

- It is facilitated by individual attitudes; supervisor and colleague behaviors; and organizational values, norms, and practices (Ferdman, 2014).
- It encourages employees to bring their entire set of identities to work rather than suppressing parts of who they are to assimilate into the dominant work culture (Cox, 1993).
- It is not "blind" to diversity dimensions; it considers individual differences, needs, and perceptions and focuses on creating structures, systems, and processes that make people feel valued and treated equitably (Vohra et al. 2015).

- It involves "creating an environment in which everyone has the opportunity to reach their full potential" (Winters, 2014, p. 206).

Whether or not people are able to meet their basic needs encompassed in the experience of inclusion is determinative of their well-being and functioning. Hundreds of workplace studies have found significant negative relationships between need-satisfaction and, for example depression, anxiety, and burnout. Positive relationships have been found with general well-being, positive affect, vitality, self-esteem, optimism, internal motivation, engagement, job satisfaction, job performance, meaningful work, helping behaviors at work, voice behaviors, psychological safety, and retention (Allan et al., 2016; Huyghebaert et al., 2018; Martela & Riekkki, 2018; Slemp et al., 2018; Van den Broeck et al., 2016; van Scheppingen et al., 2015; Wu et al., 2019).

Exclusion Harms Mental Health & Functioning

Research shows that, when basic needs are thwarted, mental health and effective functioning decline (Brafford, 2020a). Harmful effects include the following:

- **Lack of Belonging.** Employees' perceptions that they don't belong—i.e., that they're not accepted, respected, or supported—are related to depressive symptoms, alcohol and drug use, and suicidal thinking.
- **Masking Individuality.** Women and minority lawyers may feel more pressure to alter or mute their unique values or perspectives to fit into a firm's dominant culture. This masking process can cause psychological distress, including depressive symptoms, emotional exhaustion, and anxiety while also harming performance.
- **Discrimination.** Perceptions of discrimination cause harmful effects like depression, anxiety, substance use, suicidal thinking, and psychological distress.
- **Expectations Affect Performance.** Workplaces that thwart women and minority

lawyers' need for inclusion can trigger thoughts and behaviors that not only harm psychological health but that also impair performance (which, in turn, can harm psychological well-being). Multiple social psychology theories describe ways that other people's beliefs about us powerfully impact our performance ([Brafford, 2019](#)). Organizational cultures dominated by white men can (often unintentionally and non-consciously) communicate lower expectations for women and minority lawyers. A long line of studies has found that significant others' low expectations for us (often communicated non-verbally and unconsciously) can infect our own beliefs about ourselves and devastate performance and well-being.

- **Perceived Unfairness.** Women and minority lawyers may perceive more frequent unfair treatment, which can damage their sense of belonging and beliefs that they're respected and valued. Perceived unfairness is strongly related to depressive symptoms and other mental and physical health conditions ([Brafford, 2020a](#)).

These findings should leave little doubt that the line between inclusion, well-being, professionalism, and practice management initiatives is slim.

Anti-Bias Training Is Not Sufficient: Behavioral Guidance Is Essential

Implicit bias training is a common feature of DEI-related programming. Such programs can be effective at raising awareness, which can help people reflect on how their own automatic thoughts and behaviors impact others and on how to redesign structures and processes to reduce the effects of bias (Bezrukova et al., 2016). But because evidence is lacking that such training reduces biased *behavior* (Forscher et al., 2016; Lai et al., 2016), it should be viewed as only one element of a larger DEI effort (Gino, 2014). To build diverse, inclusive, healthy workplaces, legal employers will need to teach firm members

what to do—not just what *not* to do. They will need to go beyond anti-discrimination policies and anti-bias training and teach affirmative behaviors that supervisors and other firm members can practice to build all firm members' experience of belonging, authenticity, and effectiveness. Emphasizing behavioral guidelines supported by distinct action plans and goals can facilitate behavior change that advances legal employers' diversity and inclusion goals (Kang, 2019; Madera et al., 2013).

Factors That Support Lawyer Well-Being

While most studies in the legal profession focus on the prevalence of poor mental health, a few studies identify factors that promote and protect well-being. For example, multiple studies of lawyers and law students have relied on **self-determination theory**, which holds that satisfaction of the basic human needs described above (for belonging, authenticity, and a sense of effectiveness) are essential for healthy functioning. These studies have found that satisfaction of basic needs is tied to, for example, well-being, mental health, engagement, performance, and other facets of optimal functioning (e.g., [Brafford, 2017b](#); Krieger & Sheldon, [2002](#), [2015](#); Sheldon & Krieger, [2004](#), [2007](#)).

Also, as noted above, IWIL's 2021 survey found that the majority of participating lawyers (63%) qualified as burned out. Factors found to be the most protective against burnout were:

- **Control:** Professional autonomy and independence; control over how my work is done; influence over decisions that affect me and to obtain needed resources.
- **Values:** Alignment of values with my employer and between my career goals and employer's stated goals; employer's commitment to quality.
- **Employers' Commitment to Well-Being:** Employer visibly supports and prioritizes employees' well-being and work-life balance.
- **Community:** Feeling close to colleagues,

including trust, open communication, cooperation, and support.

- **Psychological Detachment:** Ability to turn off thoughts of work and take a break during nonwork time.

The same factors most strongly predicted engagement: control, values, employers' commitment to well-being, and community.

High-Quality Relationships as a Foundation for the Experience of Inclusion and Well-Being

High-quality relationships with workplace supervisors and colleagues are a major source for satisfaction of basic needs under self-determination theory and the experience of inclusion. Inclusive interpersonal interactions address “the essential aspects of our common humanity and our needs for connection, consideration, respect, appreciation, and participation” (Ferdman, 2014, p. 45). These practices encompass everyday interactions within workplace relationships—including how people treat, communicate, and engage with each other.

Interpersonal-level inclusion encompasses inclusive relationships and interactions among all workplace colleagues but emphasizes those with direct supervisors—who are considered the “linchpins” for workplace inclusion (Ferdman, 2014, p. 19; see also Adams et al., 2020; Boekhorst, 2015; Homan et al., 2020). Supervisors deserve special attention because the relationships that they form with their team members have the biggest impact on their work experience and are key drivers of job attitudes, effectiveness, and retention (Brafford, 2021b; Therkelsen & Fiebich, 2003; Vidyarthi et al., 2014; Yang et al., 2010). A common finding among DEI scholars, however, is that direct leaders often lack the skills they need to effectively manage diversity (Kochan et al., 2003) and that such training should be a priority (e.g., Chrobot-Mason & Leslie, 2012).

III. Conclusion

The above findings can inform strategies for fostering well-being, diversity, and inclusion in the legal profession. Law firms and other legal employers are prioritizing DEI and mental health as never before, but many still are struggling to create work environments in which women and minority lawyers can thrive. As a result, firms' progress on hiring, retaining, and promoting a diverse group of lawyers continues to be disappointing. Many firms are wondering: *What are we doing wrong?*

At least one response is that DEI efforts have paid too little attention to the quality of lawyers' work environments and daily work experiences. Efforts to enhance diversity, inclusion, well-being, and civility should acknowledge the complexity and interrelatedness of these issues as well as the important role of supervisory behaviors and organizational cultures, and the different needs of lawyers in diverse workforces.

Building workplace cultures that are attentive and tailored to lawyers' individual and varying needs has the powerful potential to achieve many positive outcomes that legal employers care about, including individual-level experiences of well-being, belonging, authenticity, and effectiveness as well as organizational-level goals such as attracting and retaining valued talent from historically marginalized groups. Helping all lawyers to achieve their full potential will, in turn, help the legal profession achieve the same thing.

Cited references available from the author.

SELECT REFERENCES & RESOURCES

Brafford, A. (2021a). [Self-Determination Theory as a Framework for Psychological Inclusion at Work](#). Doctoral Dissertation Article.

Brafford, A. (2021b). [Effective Leaders: The Linchpins of Workplace Well-Being](#). IWIL Website, White Paper.

- Brafford, A. (2021c). Florida Bar Podcast Interview, [Why Initiatives to Retain & Engage Women Lawyers Improve the Profession for Everyone](#). Recorded July 26, 2021.
- Brafford, A. (2020a). [Enabling Lawyer Well-Being Through Diversity & Inclusion](#), IWIL Website, White Paper.
- Brafford, A. (2019). [How Male-Dominated Work Cultures Curtail Women's Leadership Aspirations: A Review Based on The Expectancy-Value Model of Motivation](#), Doctoral Paper.
- Brafford, A. (2017a). [Positive Professionals: Creating High-Performing, Profitable Firms Through the Science of Engagement](#).
- Brafford, A. (2017b). [Engaging and Retaining Women Lawyers: Examining the Role of High-Quality Leader-Member Exchange and Gender Differences in Need-Satisfaction](#), Claremont Graduate University Master's Thesis.
- Brafford, A. (2017c). [New Strategies for Retaining and Engaging Women Lawyers](#). ABA Law Practice Today, 2017.
- Brafford, A. (2014). [Building the Positive Law Firm: The Legal Profession at Its Best](#). University of Pennsylvania Master of Applied Positive Psychology (MAPP) Capstone.
- Brafford, A., & Rebele, R. W. (2018). [Judges' Well-Being and the Importance of Meaningful Work](#). Court Review: The Journal of the American Judges Association.
- Brafford, A., & Ryan, R. (2020). [3 Ways to Motivate Your Team Through an Extended Crisis](#), Harvard Business Review.
- Cooper, F., & Gulati, R. (2021). [What Black Executives Really Want](#). Harvard Business Review.
- Ferdman, B. M. (2020). [Inclusive Leadership: Transforming Diverse Lives, Workplaces, and Society](#).
- Ferdman, B. M., & Deane, B. R. (2014). [Diversity at Work: The Practice of Inclusion](#).
- Krivkovich, A., Starikova, I., Robinson, K., Valentino, R., & Yee, L. (2021). [Women In the Workplace 2021](#). McKinsey & Company.
- Leibenberg, R. D., & Scharf, S. A. (2019). [Walking Out the Door: The Facts, Figures, And Future of Experienced Women Lawyers in Private Practice](#).
- Managan, K. M., Giglia, E., & Rowen, L. (2016, April 14). [Why Lawyers Leave Law Firms and What Firms Can Do About It](#). ABA Law Practice Today.
- National Association for Law Placement (NALP, 2020). [Diversity Best Practices Guide](#).
- Peery, D., Brown, P., & Letts, E. (2020). [Left Out and Left Behind: The Hurdles, Hassles, And Heartaches of Achieving Long-Term Legal Careers for Women of Color](#).
- Scharf, S. A., Liebenberg, R., & Amalfe, C. (2014). *Report Of the Eighth Annual NAWL National Survey on Retention and Promotion of Women in Law Firms*.
- Scharf, S., & Liebenberg, R. (2021, June 16). [Law Firm Talent Must Reflect Shifting Us Demographics](#). Law360.
- Sterling, J., & Chanow, L. (2021). [In Their Own Words: Experienced Women Lawyers Explain Why They Are Leaving Their Law Firms and The Profession](#).
- Sterling, J. S., & Reichman, N. (2016). Overlooked and undervalued: women in private law practice. *Annual Review of Law and Social Science*, 12, 373-393.
- Williams, J. C., Multhaup, M., Li, S., & Korn, R. (2018). [You Can't Change What You Can't See: Interrupting Racial & Gender Bias in the Legal Profession](#).

AUTHOR BIO

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After practicing law for 18 years, Anne left her job as an equity partner in employment litigation at Morgan Lewis to study with world-class experts in individual and workplace

thriving. Her aim is to help the legal profession build engaging workplaces where people and businesses can grow and succeed together.

In 2014, Anne founded Aspire (www.aspire.legal), an education and consulting firm for the legal profession. Anne is the Vice President of the [Institute for Well-Being in Law](#) (IWIL, formerly known as the National Task Force on Well-Being), the Vice President of Programming, and the Chair and founder of IWIL's Well-Being Week in Law. She was the Editor-in-Chief and co-author of the 2017 report of the National Task Force on Lawyer Well-Being, [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#).

Anne is a past Chair (2016-2020) and Vice Chair (2015-2016) of the ABA Law Practice Division's Attorney Well-Being Committee. As part of her role with the ABA's Presidential Working Group formed to investigate how legal employers can support healthy work environments (2017-2019), Anne authored the freely-available [ABA Well-Being Toolkit for Lawyers and Legal Employers](#). Anne authored an ABA-published book titled [Positive Professionals](#), which provides science-based guidance to law firm leaders for boosting work engagement for lawyers.

Anne graduated from University of Iowa Law School in 1996 with high distinction and special honors. She has earned a Master's degree in Applied Positive Psychology (MAPP) from the University of Pennsylvania (2014) and is nearing completion of her doctoral work in positive organizational psychology at Claremont Graduate University. Anne has served as a teaching assistant to both Dr. Martin Seligman and Dr. Mihaly Csikszentmihalyi, the co-founders of positive psychology. Anne's research focuses on lawyer thriving and includes topics like positive leadership, workplace well-being, work

engagement, motivation, mental health, inclusion, and retention and advancement of women lawyers. Anne can be reached at abrafford@aspire.legal.