



# The Resource Page



## NEW BOOKS

NANCY LEVIT & DOUGLAS O. LINDER, *THE HAPPY LAWYER: MAKING A GOOD LIFE IN THE LAW*, Oxford University Press, 2010. 278 pp. \$19.95.

Do happier judges make better judges? We'd bet on it. If so, perhaps the best thing we could do to improve the judiciary would be to figure out how to make judges—and their staffs—happier.

A new book by law professors Nancy Levit and Douglas Linder can help. Focused on how all sorts of lawyers can find more happiness in their lives, the book offers plenty of insights judges and leaders in the judiciary can use to make courts and courthouses better places to work.

For lawyers, there's certainly work to be done. As many as 70 percent have said in surveys that they wouldn't choose a legal career again if they were starting over, and half of all lawyers would discourage their children from becoming lawyers. Judges probably have better numbers than that, but most of us know unhappy colleagues—and all of us would like increased happiness.

As Levit and Linder explain, there's now a rich body of research by psychologists and others into what makes people happy. For that matter, there's good research on what makes rats happy too. One thing a rat wants, it turns out, is true for humans too—some control over their own lives.

Of course, to learn this about rats, some rats must die. Researchers put five rats in separate cages and gave them electric shocks at random intervals. One rat had a lever that, when pushed, ended the shocks for all five rats. By the end of six weeks, the four rats that had no sense of control died; their immune systems and emotional systems had broken down and they essentially died of depression. The rat with the lever lived for many more months—even though all the rats had

received the same doses of electric shocks.

The two biggest factors in improving happiness are control and social connections. According to Levit and Linder, “In fact, according to one happiness expert, about 70 percent of our controllable happiness stems from relationships. We could debate whether control or connections is *the most* important determinant of happiness levels, but there is little disagreement that they are the two biggies.”

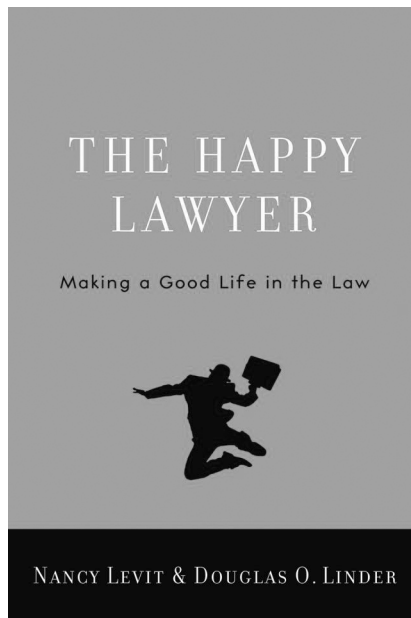
Given the importance of these elements, judges have some advantages. One thing that increases a sense of control is the belief that your contribution

court system and, significantly, compliance with court orders increases. Judges may be able to improve happiness, then, by improving professional competence in areas like this.

Judges also have an advantage on the relationship, social-connection front. As leaders in our workplaces, we can help to foster good relationships between judges and support staff, as well as between those who work in the courthouse and those who drop in for other reasons. Levit and Linder emphasize the importance of fostering trust within the workplace. For fostering trust of judges by staff, they provide a helpful discussion of training that one large law firm gave its partners when the firm's associates began leaving in high numbers (p. 195). Judges could probably benefit from similar training—on things like expressing appreciation to and praising performance of staff members, increasing interactions between judges and staff members, and the like.

One of the best chapters in the book is called the “Happiness Toolbox.” The chapter goes into detail on steps that may help anyone to improve job satisfaction and overall happiness. One example is admittedly simple but effective. Make a list of what gives you pleasure. Make sure to identify even small things that give you pleasure during the day; the authors note examples of having a moment of rest by a sunny window in late afternoon or a cup of good coffee. Then do more of these things when you can. As Levit and Linder note, “When people appreciate the daily ‘micro-moments’ of happiness, those ‘positive emotions blossom’—and help people develop resilience against adverse events.”

Not all of us have the same happiness starting point. The authors report that genetics accounts for about 50 percent of our happiness, and circumstances out of our control account for another 10 percent. But there really is quite a bit we can do with the remaining 40 percent to become happier people. It's worth thinking about. And the book is well written and fun to read.



matters. Judges have great opportunities to do things that really do matter. In addition, Levit and Linder report that “[h]appiness correlates with being good at what you do and having the feeling of control that comes with professional competence.”

So judges can improve happiness by improving professional competence in ways that make a difference. Work being done in the area of procedural fairness quickly comes to mind. Several studies show that when trial judges act on the bench in ways that enhance participants' feelings that they have been fairly treated, participants have a better view of the