

# Overcoming the Legal Mindset Dilemma: Cultivating Optimism and WOOP

By TANYEE CHEUNG

**A**t the first inaugural well-being conference for the Institute for Well-Being in Law, my former professor and father of positive psychology, Martin Seligman, was the keynote speaker. He spoke about optimism and pessimism and noted that almost universally, pessimists tend to be less successful on most fronts. You name it, whether in the realm of education, athletics, military, and other studied professions, pessimists typically perform worse than optimists. Research examining the influence of an optimistic mindset on performance consistently underscores its positive impact across various domains. One seminal study conducted by Martin Seligman and Chris Peterson (another giant in the field of positive psychology), explored the relationship between character strengths, including optimism, and academic and professional success. Their findings revealed that individuals who exhibited optimism as a character strength were more likely to achieve better academic outcomes, excel in their careers, and experience higher levels of overall life satisfaction.

A study by Charles Carver and Michael Scheier found that athletes who maintain an optimistic outlook were more resilient in the face of competition, recover more quickly from setbacks, and ultimately perform better on the field. In the medical field (lawyers' go-to profession for comparison), numerous studies have yielded compelling insights into the importance of positive psychological traits

for healthcare professionals showing an association of optimistic outlook with enhanced performance. Furthermore, optimism and growth mindset have been linked to improved patient outcomes and higher quality of care. Research showed healthcare providers with an optimistic disposition are more likely to deliver compassionate and patient-centered care, leading to better treatment adherence, faster recovery rates, and overall higher satisfaction among patients. Additionally, optimistic healthcare professionals are better equipped to handle the emotional demands of patient care, maintaining empathy and compassion even in challenging situations.

There was, however, one striking exception to the optimism is better rule. Can

you guess what group that might be? Yep, you guessed it, lawyers. A study conducted by University of Virginia law professor Gregory Mitchell revealed a surprising correlation between pessimism and success in law school. Students at the University of Virginia School of Law, Class, were tested for optimism-pessimism with the Attributional Style Questionnaire ("ASQ"). The ASQ is a well-standardized self-report measure of "explanatory style"—one's tendency to select certain causal explanations for good and bad events. The students' performance was then tracked throughout law school as it related to their initial explanatory style. In sharp contrast to results in other realms of life, law students whose attributional style defined them as "pessimistic" fared better than their optimistic peers. Specif-



**Join the Well-Being Conversation!** Email [tcheung@fdh.com](mailto:tcheung@fdh.com) with topic ideas for an upcoming column.

ically, the pessimists outperformed more optimistic students on traditional measures of achievement, such as grade-point average and law journal success.

Now, you might be thinking this is a good thing and patting yourself on the back for being high in pessimism, but while pessimism might be good for legal performance, the studies are clear it's not so great for well-being. Optimism has been consistently linked to numerous benefits for overall well-being, encompassing both psychological and physical health. Research has consistently shown individuals with an optimistic outlook tend to experience lower levels of stress and anxiety and are more likely to engage in adaptive coping strategies, such as problem-solving and seeking social support, which contribute to better mental health outcomes. Furthermore, optimism is associated with greater resilience in the face of adversity, allowing individuals to bounce back more effectively from setbacks and challenges. This resilience fosters a sense of hopefulness and perseverance, contributing to a higher overall quality of life. Better physical health outcomes are also correlated with optimism; optimistic individuals have a reduced risk of developing chronic illnesses, such as cardiovascular disease, and may experience better recovery outcomes from illness or surgery, and stronger immune functions. Overall, the research suggests that cultivating optimism can lead to a multitude of benefits for both psychological and physical well-being, enhancing one's overall quality of life and resilience in the face of life's challenges.

So, what's a lawyer to do? How can we navigate the unique challenges and demands of legal education and practice, which may favor issue spotting and a more critical and cautious approach with the desire to cultivate a more optimistic mindset to enhance our well-being? The good news is you are already taking a significant step toward the solution: awareness. By becoming more aware of our pessimistic tendencies, we can find ways to limit their negative effects while embracing the benefits it affords us. Rather than

developing a Pollyanna attitude where we overlook obstacles, we can embrace the benefits of a mind that is trained to spot issues, while focusing our energies on finding solutions to the obstacles.

Instead of admonishing ourselves for our tendency to find potential problems, we should limit the time staring at the problem and stressing over it and retrain our brains to focus on finding ways to overcome the potential problems. The best lawyers, after all, are not the ones who just spot the issues, but who are also able to provide solutions. By expanding our field of vision, we can temper negative biases with a wealth of opportunities and hope. One way we can do this is to WOOP. **WOOP is an acronym for Wish, Outcome, Obstacle, Plan**—a powerful framework developed by psychologist Gabrielle Oettingen. By moving quickly from the problem to WOOP, we can limit the time we spend in a space of negativity. Using problems as the springboard for a WOOP session, gives us permission to continue to look for obstacles while reminding us to focus on finding solutions. WOOP can be particularly valuable for attorneys seeking to work with pessimism in a constructive manner. By incorporating realistic assessment and planning, WOOP enables attorneys to confront potential obstacles and develop strategies for overcoming them. By empowering individuals to identify and overcome obstacles, WOOP can help cultivate a more optimistic outlook.

Whether one is seeking to come up with an action plan for a client or looking to improve work-life balance, WOOP can be a powerful tool for attorneys. Instead of stopping at obstacles, WOOP guides us to develop an action plan. This process encourages attorneys to confront potential setbacks and uncertainties head-on, rather than avoiding or ignoring them, fostering a proactive and solution-focused approach to problem-solving. By integrating WOOP into our practice, we can harness the power of pessimism as a catalyst for strategic thinking, resilience, and goal achievement, ultimately enhancing our effectiveness and satisfaction in our legal careers.

We can all benefit from networks and resources that foster both optimism and realism within the legal profession, so WOOP it up! Inspire colleagues, mentors, and peers to embody a balanced perspective that can provide us with valuable insights, guidance, and encouragement as we navigate the complexities of legal practice. If you need some help getting started, consider professional development opportunities, such as workshops, seminars, and coaching programs, that can help one develop the skills and mindset needed to effectively balance pessimism with optimism in one's life. By leveraging these strategies, attorneys can navigate the challenges of the legal profession with confidence, resilience, and optimism, ultimately enhancing performance and career satisfaction. ■



*Tanyee Cheung is a debt finance partner at Finn Dixon & Herling LLP and is chair of her firm's Wellness Committee and co-chair of the Connecticut Bar*

*Association's Wellbeing Committee. Attorney Cheung received her Master's in applied positive psychology from the University of Pennsylvania.*

## REFERENCES

- 1 Seligman, M. E., & Peterson, C. (2004). Character strengths and virtues: A handbook and classification. American Psychological Association.
- 2 Carver, C. S., & Scheier, M. F. (2014). Dispositional optimism. *Trends in Cognitive Sciences*, 18(6), 293-299
- 3 Tindle, H. A., Chang, Y. F., Kuller, L. H., Manson, J. E., Robinson, J. G., Rosal, M. C., ... & Matthews, K. A. (2009). Optimism, cynical hostility, and incident coronary heart disease and mortality in the Women's Health Initiative. *Circulation*, 120(8), 656-662.
- 4 Mitchell, G. (1994). The effects of outcome-oriented goals on cognitive engagement and academic performance. *Journal of Applied Psychology*, 79(5), 753-760.
- 5 Rasmussen, H. N., Scheier, M. F., & Greenhouse, J. B. (2009). Optimism and physical health: A meta-analytic review. *Annals of Behavioral Medicine*, 37(3), 239-256.
- 6 Scheier, M. F., & Carver, C. S. (1992). Effects of optimism on psychological and physical well-being: Theoretical overview and empirical update. *Cognitive Therapy and Research*, 16(2), 201-228
- 7 Oettingen, G., Pak, H., & Schnetter, K. (2001). Self-regulation of goal setting: Turning free fantasies about the future into binding goals. *Journal of Personality and Social Psychology*, 80(5), 736-753.