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Building Attorney Resources: Helping New Lawyers Succeed Through Psychological Capital

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Abstract

Law firms seeking a competitive advantage in the marketplace would do well to consider that the positive psychological resources of firm lawyers are just as important to individual and organizational performance as their intellectual resources. There is growing evidence from the fields of positive psychology and positive organizational behavior that the resources of hope, optimism, self-efficacy and resilience shape the underlying attitudes and behaviors associated with increased performance. These resources may even buffer lawyers against the occupational hazards of the profession that cut against long-term success – hazards that include depression, anxiety, substance abuse and suicide. In this capstone I advocate for traditional law firm associate training programs to be enhanced to include the development of psychological capital (or “PsyCap”), a construct consisting of the components of hope, self-efficacy, resilience, and optimism. I discuss how policies that promote lawyer strengths and well-being are good for the lawyer, good for the law firm and ultimately good for business, and I propose a brief training intervention to boost lawyer PsyCap.

Keywords

lawyer, law firm, well-being, positive psychology, psychological capital, depression, anxiety, resilience, hope, optimism, self-efficacy

Disciplines

Legal Profession | Performance Management | Psychology | Training and Development

Running Header: BUILDING ATTORNEY RESOURCES

Building Attorney Resources: Helping New Lawyers Succeed through Psychological Capital

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University of Pennsylvania

A Capstone Project Submitted

In Partial Fulfillment of the Requirements for the Degree of

Master of Applied Positive Psychology

Advisor: Anne M. Brafford, J. D., MAPP

August 1, 2015

Building Attorney Resources: Helping New Lawyers Succeed through Psychological Capital
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Law firms seeking a competitive advantage in the marketplace would do well to consider that the positive psychological resources of firm lawyers are just as important to individual and organizational performance as their intellectual resources. There is growing evidence from the fields of positive psychology and positive organizational behavior that the resources of hope, optimism, self-efficacy and resilience shape the underlying attitudes and behaviors associated with increased performance. These resources may even buffer lawyers against the occupational hazards of the profession that cut against long-term success – hazards that include depression, anxiety, substance abuse, and suicide. In this capstone I advocate for traditional law firm associate training programs to be enhanced to include the development of psychological capital (or “PsyCap”), a construct consisting of the components of hope, self-efficacy, resilience, and optimism. I discuss how policies that promote lawyer strengths and well-being are good for the lawyer, good for the law firm and ultimately good for business, and I propose a brief training intervention to boost lawyer PsyCap.

Dedication

I dedicate this Capstone to my husband Tyler Dickman and my boys Nathan and Thomas. Your unconditional support, encouragement, strength, and love have made this first step toward a flourishing future possible. I love you to the moon and back and carry you in my heart always.

Another big thank you goes out to my Capstone advisor and friend Anne Brafford. Your sharp mind, kind heart and dedication to improving well-being within the practice of law are without measure. I could not have completed this project without you.

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Building Attorney Resources: Helping New Lawyers Succeed through Psychological Capital

Introduction

Law is a people-based business. The talent and capabilities of individual lawyers are the drivers of law firm success. Many firms recognize these human assets to be the basis of their competitive advantage and invest time and money into developing lawyer skill sets (Kor & Leblevici, 2005). Investing similar effort to protecting these same important assets from wearing down under the strain of the practice of law, however, seems to have been neglected by most law firms, even despite the sizable amount of information suggesting rising levels of lawyer distress.

Outside of the legal profession, research is starting to convince the business world that deliberate organizational efforts to promote positive psychological resources like optimism, resilience, self-efficacy, hope, and positive emotions are likely to increase performance for individuals and groups – even over that which is related to skill and intelligence alone (Donaldson & Ko, 2010; Luthans, Avey, Avolio, & Peterson, 2010; Mills, Fleck, & Kozikowski, 2013). Emerging research also shows that boosting psychological resources can be preventative, shielding valuable employees from burnout, stress and depression (Newman, Ucbasaran, Zhu, & Hirst, 2014).

Law firms seeking sustained competitive advantage in the marketplace can and should follow this lead and begin to take an active role in developing the personal strengths, positive resources and well-being of their lawyers. Unfortunately, firm culture often does just the opposite (Brafford, 2014). I experienced this phenomena first hand during my tenure in private law firm practice. When I entered law firm life in 1999, I was a new law graduate with high hopes for a fulfilling and meaningful career. I had done well in law school, graduating near the top of my class while forging close and supportive friendships. I expected to find similar success

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and support at the firm. My experience, however, was quite different.

While the law firm that I joined was reputable and well respected, it had few formal processes to develop the skills of new associates and spent no time preparing associates for the psychological stresses inherent in the practice of law. The quality of one's training at my firm was tied exclusively to the luck of being assigned to a firm partner who took the mentoring role seriously. Fortunately, I had an excellent mentor who took the time to teach me how to be a lawyer. What I did not learn, however, was how to handle (or even be aware of) the occupational hazards of the profession – depression, anxiety, substance abuse, and even suicide (Brafford, 2014). Such topics were ignored around the office and only discussed in jest by a small group of firm lawyers who enjoyed gossiping and berating those who struggled with the pressure.

Once during my early associate years, hoping to get some helpful advice on how to handle my growing difficulty with managing the stresses of work, I made the mistake of asking a prominent partner whether he had ever felt worried or anxious when he first started litigating. His response was to simply say “no” and walk away. It was during this same time that another firm member attempted suicide by ingesting rat poison and alcohol. Thankfully, he survived but he never returned to work. Those that spoke of him at all branded him as someone who “just couldn't cut it.” Needless to say, I quickly learned to stop asking for advice about how to deal with the psychological pressures of my job and did the best I could on my own. After almost ten years, advancing to firm partnership and developing a serious case of burnout, I left private practice for what I thought to be the greener pastures of in-house legal work.

By sharing these experiences my intention is not to bash my former law firm as an organization devoid of merit or soul. I actually often found the opposite to be true. My recollections are instead meant to illustrate the need for a change in how law firms develop and

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protect the people that drive the business – the law firm lawyers. Indeed, looking back, I believe that I may have been able to avoid burnout and remain a productive and engaged member of the firm if the development of associate psychological resources and well-being had been a recognized priority.

With this Capstone project, I will argue that law firms would do well to consider that the positive psychological resources of their professionals are just as important to their individual and organizational performance as are their intellectual resources. Indeed, a compelling body of evidence demonstrates that positive psychological resources like hope, self-efficacy, optimism, and resilience shape the underlying attitudes and behaviors associated with increased performance. They may even buffer lawyers against the occupational hazards of the profession that cut against long-term success – hazards that include depression, anxiety, substance abuse, suicide, and overall poor health (Brafford, 2014). Accordingly, in this paper I will advocate for traditional law firm associate training systems to be enhanced to include programs for developing the positive psychological capacities of young lawyers alongside the development of their professional skills. I will discuss how policies that promote lawyer psychological strengths and well-being are good for the lawyer, good for the law firm, and ultimately good for business, and I will propose a brief training intervention directed toward young lawyers that have recently been admitted to the practice.

Law Firms' Traditional Approach to Management Fails to Foster Psychological Resilience and Optimal Performance Among Lawyers

Historically, law firms have taken a traditional resource-based approach to firm management and competitive advantage. This view considers performance differences between firms as being based largely on the differences in the bundle of resources at each law firm's disposal and in how these resources are managed (Kor & Leblevici, 2005). Resources can be

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traditional and tangible sources like economic capital. They might also be intangible sources like human capital – the knowledge, skills, and abilities of firm lawyers gained from education and experience; or social capital – the trust, relationships, and contact networks developed by the firm (Luthans & Youssef, 2004). Of all of these resources at its disposal, it is the law firm’s human capital – the lawyers – that are at the heart of the firm’s competitive advantage as they provide the specialized legal services that generate financial returns (Kor & Levlevici, 2005; Sherer, 1995). Maximizing these assets so that they remain valuable and productive for the law firm over the long-term is closely linked to how the lawyers are managed and developed (Kor & Levlevici, 2005).

To this end, most law firms still follow a traditional “apprenticeship style” lawyer staffing model. This model includes hiring new lawyers as firm associates right after the completion of law school or a judicial clerkship, assuming that when they join the firm they will need to be taught how to be lawyers (Winslow, 2015). Teaching new associates how to practice law usually falls to more experienced firm partners who provide associates with work and, at least in theory, the supervision and guidance necessary for their proper skill development. As associates become increasingly capable, they can take on more specialized work at higher billable rates and pass lower paying work (and training) down to newer members of the firm (Kor & Leblebici, 2005).

While developing and deploying the law firm’s human capital in this way may be a vital component of the firm’s competitive advantage and ability to generate profitability (Kor & Leblebici, 2005), this traditional approach has not led to the optimal performance of lawyers. Missing from this framework is an attention to equipping new associates, and indeed all the firm’s lawyers, with resources that may help them to handle the psychological distresses that are

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commonly accepted as occupational hazards of the practice of law.

The “Occupational Hazards” of Practicing Law.

The practice of law often is characterized as a profession in which psychological distress is accepted as a common occupational hazard. While the extent to which this is accurate is a matter of scholarly debate (see, e.g., Brafford, 2014 for an in depth discussion), it seems beyond debate that lawyers often face significant psychological challenges. The academic literature suggests that, when compared to other professions, lawyers are more likely to be unhappy and suffer from maladies like poor health, depression, anxiety, hostility, substance abuse and an increased likelihood of suicide (Beck, Sales, & Benjamin, 1995; Eaton, Anthony, Mandel, & Garrison, 1990; Mauney, n.d.; Schiltz, 1999; but see Hull, 1999; Levit & Linder; 2010). Even for lawyers who do not fall prey to these problems, there is considerable evidence of high career dissatisfaction (Levit & Linder; 2010; Schiltz, 1999, p. 882). This dissatisfaction can result in reduced performance, high attrition rates, and lawyers leaving the profession altogether (Daicoff, 2004; Schiltz, 1999; Smith, 2013; but see Levit & Linder, 2010).

These difficulties are believed to begin in the classroom. Numerous studies have correlated law school enrollment with disproportionate levels of emotional distress, depression, anxiety and substance abuse (Benjamin, Kaszniak, Sales, & Shanfield, 1986; Daicoff, 2004; Dammeyer & Nunez, 1999; Krieger, 2008; Mertz, 2007; Peterson & Peterson, 2009; Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004; Seligman, Verkuil, & Kang, 2001). In fact, students entering law school show no signs of elevated psychological distress compared to the general population. Within the first year of matriculating, however, their negative symptoms increase alarmingly above the norm (Shanfield & Benjamin, 1985; Sheldon & Krieger, 2004). This means that, by the time students graduate, many may already be either psychologically depleted to some

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degree or at heightened risk for developing the above-described “occupational hazards” – even before being exposed to the rigors of law practice.

Even in the difficult legal market of today, the majority of law graduates will still join private law firms (Huang & Swedloff, 2010 p. 336, n. 4; NALP.org, 2013). There, they learn to be lawyers by working with firm partners and participating in institutional training programs designed to develop their skills. Unfortunately, despite evidence that the “occupational hazards” of the profession are disproportionately concentrated in private practice (Levit & Linder, 2010; Monahan & Swanson, 2009; Schiltz, 1999; Sheldon & Kreiger, 2013), law firms still do little to supplement these traditional methods with programs to foster the psychological resilience necessary for lawyers to navigate this minefield. This reality is no secret; however, it leads to the question of why should law firms care?

A New Approach for Law Firms: Developing Positive Psychological Capital

Law firms should care because unhappy, distressed, or dysfunctional lawyers implicate a misallocation of the firm’s most important resource for competitive advantage, the individual lawyer. A new approach for law firms may be found through the proactive development of each lawyer’s positive psychological resources—specifically their psychological capital (PsyCap). Much like human capital, PsyCap is an investment in the success and competitive advantage of the firm. PsyCap, however, goes beyond the development of each associate’s skill set and “what they know” to instead focus on developing “who they are” (Luthans, Avey, Avolio, & Peterson, 2010). Empirical evidence strongly suggests that the development of associates’ PsyCap will buffer them against the challenges of the profession known to cut against long-term success while also boosting the firm’s competitive advantage beyond that attributable to human capital alone (Donaldson & Ko, 2010; Luthans et al., 2010; Mills, Fleck, & Kozikowski, 2013).

Positive Psychological Capital's Foundation in Positive Psychology

The study of PsyCap as a source of competitive advantage in the workplace grew out of the vibrant new field of positive psychology. Positive psychology was formally introduced in the late 1990s at the American Psychological Association (APA) Convention when research psychologist and then-APA President Martin Seligman challenged the field of psychology to expand its focus (Seligman, 1999). Seligman (1999) called on psychologists to not only study human dysfunction but to also look at what is right and good about people and to use the scientific method to “show the world what actions lead to well-being, to positive individuals, to flourishing communities, and to a just society” (p. 560). Since Seligman’s call to action, psychologists and scholars in other disciplines have united around the purpose of identifying and developing the positive qualities and strengths that contribute to well-being. They have focused on developing sound theory and research to identify what might be possible for individuals, organizations and communities (Seligman & Csikszentmihalyi, 2000; Sheldon & King, 2001).

Positive psychology’s overall aim is to increase human well-being. The definitions and theories about what constitutes well-being and how it can be developed, however, differ within the field. Seligman’s (2011) framework defines well-being using five elements: positive emotions, meaning, positive relationships, and accomplishment (PERMA). Diener (1984) studies what he calls “subjective well-being,” defining it as including high positive affect or emotion, low negative affect, and high life satisfaction (Diener, Lucas, & Oishi, 2005). Ryan and Deci (2000) view the construct through the lens of Self Determination Theory, arguing that well-being comes from satisfying human needs for competence, autonomy and relatedness. While certainly distinct, what these and other well-being approaches all share is the belief that well-being is desirable not only in its own right, but also because it can predict or contribute to valuable life

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outcomes (Lyubomirsky, King, & Kiener, 2005) such as improved physical and psychological health, greater satisfaction and success at work, and improved performance (Cohn & Fredrickson, 2009; Diener, Suh, Lucas, & Smith, 1999; Seligman, 2011).

Psychological Capital's Foundation in Positive Organizational Behavior

Positive psychology's positive orientation to research, scholarship and application has stimulated new research aimed at understanding the unique contributions that strengths, solutions and optimal human functioning may have across many life domains (Donaldson & Ko, 2010). In the professional domain, it has inspired the development of the new field of "positive organizational behavior" (POB), which applies positive psychology principles to individuals in the workplace (Youssef & Luthans, 2010).

POB is defined as "the study and application of positively oriented human resource strengths and psychological capacities that can be measured, developed, and effectively managed for performance improvement in today's workplace" (Luthans, Avey, & Patera, 2008, p. 209; Luthans, 2002b). POB is concerned about the experience of the individual at work and how the development of certain positive capacities through workplace interventions can result in both individual and organizational benefits (Luthans, 2002a, 2002b; Mills et al., 2012). For a capacity to be considered part of POB, it must be grounded in theory and research, have valid and reliable measures, be state-like and open to development, and demonstrate a positive impact on attitudes, behaviors, and workplace performance (Luthans et al., 2010).

POB scholars have identified four positive psychological resource capacities that best fit these criteria: hope (Synder, 2000), self-efficacy (Bandura, 1997; Stajkovic & Luthans, 1998b), optimism (Carver & Schemer, 2002; Seligman, 1998), and resilience (Masten, 2001). Together, these four capacities make up PsyCap (Luthans et al., 2010). Researchers have found that the

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composite construct of PsyCap predicts performance and employee satisfaction better than any of its four individual components alone (Luthans, Avolio, Avey, & Norman, 2007).

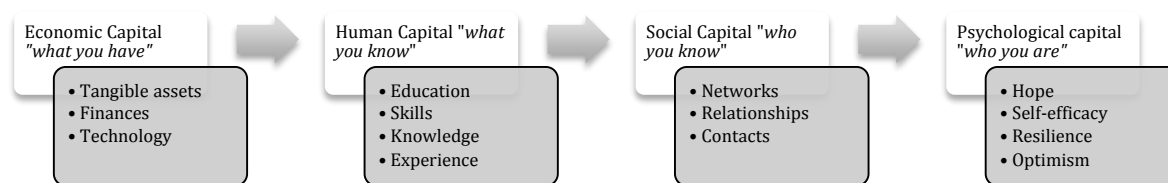
PsyCap is defined as follows:

An individual's positive psychological state of development that is characterized by: (1) having confidence (self-efficacy) to take on and put in the necessary effort to succeed at challenging tasks; (2) making a positive attribution (optimism) about succeeding now and in the future; (3) persevering toward goals, and when necessary, redirecting paths to goals (hope) in order to succeed; and (4) when beset by problems and adversity, sustaining and bouncing back and even beyond (resiliency) to attain success. (Luthans, Avey, Avolio, Norman, & Combs, 2006, p. 388)

Much like the well-recognized strategic resources of human and social capital, PsyCap has its theoretical roots in economic capital where resources are invested and leveraged by the organization for sustainable competitive advantage (Newman et al., 2014). Indeed, PsyCap is gaining considerable attention in business, academic, and other domains for its influence on human performance (Ardichvili, 2001 as cited in Newman et al., 2014). Similar to the other forms of capital, PsyCap contains distinct active components (i.e., hope, optimism, resilience, and self-efficacy) that can be individually managed for more effective performance (Luthans et al., 2007). As shown in **Figure 1**, PsyCap is distinguishable from other forms of capital, having been identified as going beyond “what you have” (economic capital), “what you know” (human capital), and “who you know” (social capital). Instead, PsyCap consists of “who you are” and “what you can become” (Luthans et al., 2004; Luthans & Youssef, 2004).

Figure 1. Forms of capital for competitive advantage

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(Luthans, Luthans, & Luthans, 2004)

Understanding the Four Components of PsyCap

As stated above, PsyCap has been defined as a higher order construct consisting of the four positive psychological resources of hope, self-efficacy, optimism, and resilience (Luthans et al., 2006). These resources operate both individually and as a synergistic collective to strengthen the psychological capacities of individuals and, when developed and deployed in the workplace, lead to desirable organizational outcomes (Avey, Reichard, Luthans, & Mhatre, 2011). Below is a discussion of each of PsyCap's four components, including a discussion of how they apply to the workplace, how they contribute to improved performance and other desirable organizational outcomes, and how the development of each resource may be relevant and valuable to lawyers in a law firm setting.

The Hope Resource in PsyCap

"The capacity for hope is the most significant fact of life. It provides human beings with a sense of destination, and the energy to get started." – Norman Cousins

As a state that may be developed through the use of targeted goal-based interventions (Snyder, 2000, 2002; Luthans, 2002), hope is a vital component of PsyCap. Hope is primarily considered to be an "empowering way of thinking" (Snyder, 1994, p. 2). Hopeful thinkers achieve more and are physically and psychologically healthier than less hopeful people (Snyder, 2002). In the workplace, hope is associated with job performance (Peterson & Byron, 2007),

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profitability (Adams et al., 2002; Peterson & Luthans, 2003), job satisfaction, and organizational commitment (Youssef & Luthans, 2007; Peterson & Luthans, 2003).

The resource of hope in PsyCap is drawn primarily from psychologist Rick Snyder's (1994, 2000) expansive hope theory that conceptualizes hope as a motivational state based on the interaction between goals, agency, and pathways (Luthans et al., 2010). Hope theory postulates that people are motivated to accomplish their goals by having the willpower or agency to put in the effort toward achieving their goals, and by having the capability to develop pathways that can get them there. Basically, hopeful thinkers are people who are able to establish clear goals, imagine multiple workable pathways toward those goals, and persevere, even when obstacles get in their way (Synder, 2002).

Goals. There are two general types of desired goals in hope theory. The first is a positive or "approach" goal that is an outcome that a person wants to achieve, sustain or increase and the second involves deterring or stopping a negative outcome before it happens (Synder, 2002). Goals can be as simple as setting a daily schedule, or as expansive as reaching a life-long desired achievement. In the context of a new associate's law practice, examples of goal setting involving skill development could be learning to take a deposition or how to argue a legal motion before the court, or even simply just completing an assigned research memorandum in a timely manner. Other goal-setting examples could include seeking to successfully navigate working for a difficult partner who may provide the associate with a large amount of work but little to no guidance or feedback. This type of skill development serves not only to increase new associates' professional abilities but is also linked to psychological resilience (Rand & Cheavens, 2009; Synder, 2002).

Pathways. Without having the means to reach them, goals are just wishful thinking.

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Accordingly, people tend to approach their goals with thoughts of generating workable pathways toward achievement (Synder, 2002; Rand & Cheavens, 2009). For a person pursuing a goal who is high in hope, pathways thinking usually involves the proactive generation of one or more plausible routes to achievement. In the event that the high-hope person is faced with an obstacle along a given pathway, they show the capacity to switch gears and launch into predetermined alternative routes. In contrast, a low-hope person will not as strongly articulate pathways toward desired goals and will be more easily deterred when an obstacle appear (Synder, 2002).

The very nature of the practice of law involves anticipating and overcoming obstacles to the achievement of professional goals, making pathways thinking a vital skill for new associates. Litigation practice provides a good example of the value of strong pathways thinking as the adversarial nature of the process means that the opposing party is actively throwing obstacles in the way of the lawyer's desired goal. By learning to generate multiple workable routes to attaining their desired goal and to anticipate the inevitable roadblocks, new associates will more readily be able to handle these stresses of the adversarial process and continue toward goal attainment instead of being derailed (Synder, 2002).

Agency. Agency thinking is one's perceived capacity to use their pathways in order to reach a desired goal (Rand & Cheavens, 2009; Snyder, 2002). It is the motivational piece of hope theory. Agency thoughts create the mental energy to start and continue movement along one's pathways toward a goal. High-hope people often generate this energy by incorporating positive self-talk statements like "I can accomplish this," and "nothing can stop me." Agency thinking is especially important when obstacles to goal achievement arise as this cognitive process helps to move the necessary motivation to a different pathway that is a good alternative toward goal attainment (Rand & Cheavens, 2009; Snyder, 2002).

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Because a sizable part of a young lawyer's job is to find ways around obstacles to the goals of firm clients, PsyCap-based interventions aimed at the development of the cognitive features of both pathway and agency thinking may be especially important for their long-term success. PsyCap interventions focus on developing hope by instructing participants on ideal goal design, including how to identify goals, how to develop specific action plans toward goal achievement, and how to measure success. Since an important part of this process is identifying and planning to overcome obstacles, participants are taught to generate multiple pathways to chosen goals and proactively consider the resources necessary to pursue each avenue. Participants are also taught the importance of identifying sub-goals, a process called "stepping," so that they might take advantage of the positive benefits from even small "wins" (Luthans et al., 2006; Luthans et al., 2010). In this way, associates gain confidence that they can in fact complete the challenging tasks necessary to the practice of law and the efficacy needed for long-term success.

The Self-Efficacy Resource in PsyCap

"They are able who think they are able." – Virgil

Similar to hope theory, self-efficacy is a core mechanism of human agency that refers to an individual's belief in her ability to exert control over her environment and mobilize the motivation, cognitive resources, capability, and courses of action necessary to produce specific performance attainments (Bandura & Locke, 2003; Bandura, 1997, as cited in Maddux, 2009; Stajkovic & Luthans, 1998a, p. 66; see, e.g. Snyder, 2009, p. 257 for a discussion on distinctions between hope and self-efficacy). It is central to the choices we make, how well we persevere in the face of difficulties, our vulnerability to stress and depression, and our overall emotional well-being (Bandura & Locke, 2003). Put simply, our ultimate recipe for success is the belief that we

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can accomplish the goals that we set out to achieve (Maddux, 2009).

As a PsyCap capacity, self-efficacy has a strong link to desirable individual and workplace outcomes. Indeed, multiple meta-analyses show the correlation between self-efficacy and human functioning, finding strong connections with innovation, creativity, skill development, occupational choice and preparation, and the successful execution of skills (see Bandura & Locke, 2003 for a review). Other meta-analyses show that self-efficacy is strongly correlated to performance at work, including job satisfaction, organizational commitment, and turnover intentions (Judge, Jackson, Shaw, Scott, & Rich, 2007; Sadri & Robertson, 1993; Stajkovic & Luthans, 1998b).

High self-efficacy has been shown to be related to happiness and well-being, adoption of healthy behaviors and effective immune functioning, as well as with our ability to self-regulate (Maddux, 2009). Of particular interest to the law profession, self-efficacy beliefs can also play a major role in buffering against depression, anxiety and substance abuse problems (Bandura, 1997; DiClemente, Fairhurst, & Piotrowski, 1995; Maddux & Meier, 1995; Williams, 1995), psychological problems for which lawyers are at heightened risk (Beck et al., 1995; Daicoff, 2004; Eaton et al., 1990; Peterson & Peterson, 2009).

The development of a strong sense of self-efficacy in new lawyers is vital for their long-term professional success and continued well-being in the practice of law. However, when law graduates enter the profession as new lawyers, they typically know very little about how to practice law, manage clients or navigate the court system. The multitude of new challenges can easily undermine one's confidence without proper training and mentoring. Unfortunately, traditional law firm cultures do not support, and may sometimes even undermine, lawyers' confidence-development (Brafford, 2014). Too often, new associates are assigned to supervising

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partners that provide little to no direction on how to accomplish the assignments that they are given and may even be abusive and belittling when the associate asks questions. When these associates inevitably make mistakes, they may be labeled as weak and underperforming, further depleting their confidence (Brafford, 2014). Fortunately, self-efficacy can be developed through interventions targeting the following four sources: (1) mastery experiences; (2) vicarious and imagined experiences; (3) feedback from others; and (4) our physical and emotional states (Bandura, 1997; Maddux, 2009).

Mastery experiences. The most reliable source of self-efficacy development typically comes from the successful attempts to control our environment that we can attribute to our own efforts. Indeed, each success builds confidence just as each failure weakens it (Bandura, 1997; Maddux, 2009). Because efficacy beliefs develop as habits, law firms can help associates to develop mastery over time. This can be facilitated by a law firm commitment to taking the apprenticeship model seriously. This means that they should invest the time to help new associates accurately assess the demands of their assignments and then how to prepare for and perform these tasks as they become increasingly difficult over time (McPherson & McCormick, 2006; Stajkovic & Luthans, 1998). While doing so initially requires coaching on the part of more senior lawyers to help associates develop a sense of control and independence, activities that may not be billable to firm clients, this commitment should reap financial benefits to the firm over time. Once associates develop their efficacy by achieving a few “wins,” these successes can provide the confidence necessary to persist when the inevitable obstacles of the practice of law present themselves.

Vicarious experiences. Efficacy beliefs also can be shaped through watching others successfully perform a task (Maddux, 2009). By doing so, people gain a sense of increased

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confidence in their own ability to perform a similar task, especially when a person identifies with their model and recognizes a common ground between their mutual abilities (Bandura, 1977; Maddux, 2009; Williams, 1995). This suggests that firms should not only consider proper associate-partner fit, but partners should take their role as a mentor seriously. Indeed, modeling task mastery for associates is a way to more quickly lead to associate independence and financial profitability for the partner and the firm. Mentors also can ensure that associates sustain profitability by also teaching them effective behavioral and cognitive strategies for coping with the profession's difficulties (Maddux, 2009).

Feedback. Feedback and verbal persuasion can either increase or decrease self-efficacy. This is so because we can easily be influenced by what others tell us that they believe about what we can or cannot accomplish (Maddux, 2009). Theoretically, associates are provided feedback on their work and performance. But the range of feedback is wide-ranging – from almost non-existent, to feedback that is overbearing, abusive and equally unhelpful. Fortunate are those associates who work for partners that set clear expectations and goals for improvement. While not all feedback needs to be positive, it should be helpful. Indeed, research demonstrates that, to build efficacy beliefs, feedback should be balanced, specific, and genuine with praise only following work that is truly deserving (Stajkovic & Luthans, 1998).

Physiological and emotional states. Perceptions of ability and skill are influenced by our awareness of the physical and emotional reactions that we experience in response to various situations (Maddux, 2009). When we have negative emotions, we are more likely to doubt our competence. If our emotional state is positive or even neutral, we may assign a higher efficacy perception to the accomplishment of a task (Maddux, 2009). The practice of law can be fraught with anxiety-producing situations. For new associates, these may include submitting an

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important legal motion to a notoriously critical firm partner, having a deposition go awry, being berated by an overworked judge, having challenging communications with an unprofessional opposing counsel, or trying to work with difficult and unreasonably demanding clients. The negative emotions involved with these situations may leave associates with a lower sense of self-efficacy. Firms can help associates to reduce the anxieties about such situations (Bandura, 1997). This can be accomplished through interventions designed to teach associates to understand the connection between their emotions and self-efficacy beliefs and to learn to monitor and challenge any inaccurate self-perceptions (Stajkovic & Luthans, 1998).

The development of a strong sense of self-efficacy in new firm associates is vital for their long-term success and continued well-being in the practice of law. PysCap efficacy interventions focus on each of the four aforementioned sources of self-efficacy, integrating them into the goal exercises associated with the resource of hope (Luthans et al., 2006). For example, the source of task mastery is built by teaching the participants to focus on the generation of pathways and the creation of sub-goals. In small group breakouts, participants then share vicarious experiences to assist one another in learning from others. These efficacy exercises are, in turn, believed to help participants increase their optimism (Luthans et al., 2010).

The Optimism Resource in PsyCap

“A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.” – Winston Churchill

While self-efficacy is the belief in our ability to be successful on a given project, the resource of optimism in PsyCap is an expectation of our future success (Luthans et al., 2010). Optimism is highly correlated with a variety of desirable outcomes at the organizational level, including heightened performance, job satisfaction, work happiness, organizational commitment

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(Luthans, Avolio, Walumbwa, & Li, 2005; Youssef & Luthans, 2007), higher productivity and lower turnover (Seligman & Schulman, 1986). At the individual level, optimism increases subjective well-being, improves the immune system, prevents chronic disease, increases the ability to cope with stress, buffers against depression, and increases resilience in the face of challenges (Carver, Schemer, Miller, & Fullford, 2009; Foreguard & Seligman, 2012; Seligman, 1990; Seligman & Schulman, 1986; Yeager & Dweck, 2012). Pessimism, on the other hand, has been linked with numerous negative outcomes, including depression, stress and anxiety (Kamen & Seligman, 1987). PsyCap approaches the development of optimism through two different but complementary theories—an expectancy value perspective (Scheier & Carver, 1985), and a positive explanatory style perspective (Peterson, 2000; Peterson & Seligman, 1984; Seligman, 1990) with realistic optimism being the ideal objective (Luthans et al., 2006; Luthans et al., 2010).

Expectancy-value. The expectancy-value perspective sees optimism as expecting good things to happen in one's life (Carver et al., 2009). Such expectations are associated with higher subjective well-being even under conditions of stress or adversity. This theory assumes that human behavior is a reflection of the pursuit of desired goals, and that both optimists and pessimists act in pursuit of their goals, trying to fit their behaviors to what they value (Carver et al., 2009). The more important the goal, the greater the “value” to the person (Carver & Schemer, 1998). It is the “expectancy” or the degree of confidence that the goal can be reached that separates the optimists from the pessimists. Having confidence that the goal can be attained will likely lead to increased perseverance even in the face of adversity. On the other hand, doubting if the goal can be reached will likely cause efforts toward it to decline (Carver et al., 2009).

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Explanatory style. Seligman's (1990) view of optimism shares the premise that expectations for the future impact actions and experience (Carver et al., 2009; Peterson & Seligman, 1984). However, Seligman approaches optimism as an explanatory framework, looking at how people explain the causes of the things that happen to them. Optimists tend to view positive events as personal, permanent and pervasive, and explain negative events as external, unstable, and situation-specific. Stated differently, optimists take credit for the positive happenings in their lives, expect them to continue in the future, and to be of use in handling a wide range of situations. Because optimistic people see negative events as temporary and external, they tend to remain positive and confident about their future even in the face of difficulties (Seligman, 1990).

Mindset. Conceptually related to Seligman's (1990) optimistic explanatory style is Dweck's (2006) mindset theory (Duckworth & Eskreis-Winkler, 2013). Mindsets are our beliefs about whether our intelligence, personality, or abilities are either fixed or can grow. These beliefs have a profound effect on performance, stress and resilience in the face of challenges (Dweck, 2006; Yeager & Dweck, 2012). It is through our mindsets that we create a cognitive framework for ourselves by which we make predictions and create explanations for the meanings of our world. Our experiences of adversities and challenges are filtered through these frameworks and lead to different patterns of either vulnerability or resilience (Dweck, 2006; Dweck & Leggett, 1988; Nussbaum & Dweck, 2008; Yeager & Dweck, 2012).

For example, people with a fixed mindset believe that their qualities are carved in stone. Because of this, they tend to avoid risk and challenge, seeing them as things that might reveal their shortcomings. They view effort as futile and give up easily and early. In contrast, those with a growth mindset see their qualities as developable, believing that potential takes time and

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challenges to cultivate. They tend to embrace challenges, persist in the face of setbacks, learn from criticism, and see effort as the path to mastery (Dweck, 2006).

Pessimism and the law. The practice of law is the rare setting where being a pessimist is actually thought to be associated with improved performance (Satterfield, Monahan, & Seligman; 1997; Seligman, 2002). Pessimists may excel in law because, unlike most jobs where optimists have the advantage, the skill of anticipating problems and perceived adversaries helps lawyers to advise clients of risk (Seligman, 1990; Seligman et al., 2001). This cautious, risk-avoiding approach is appropriate and desirable in certain aspects of the practice of law. But the professional advantage that comes from pessimism may also come with serious personal costs. Indeed, these same skills that may allow practitioners to excel at work also carry significant risk for depression (Howerton, 2004; Seligman, 2002).

A solution for addressing this professional conundrum is to teach lawyers to understand that thinking like a lawyer is a job skill and not a life skill and to instead develop what is referred to as flexible optimism. Flexible optimism is having the wisdom to assess situations and identify which ones require a pessimistic approach and others that call for optimism (Seligman, 2002). This approach would allow lawyers to retain the professional benefits of critical and pessimistic thinking when called for in the professional domain, while being able to use a more optimistic and healthy approach when called for in both professional and personal situations (Seligman, 2002; Mertz, 2007, pp. 3, 6, 98 as cited in Kreiger, 2008).

Developing flexible optimism. Optimism is a resource that can be developed and enhanced through intervention (Carver, Scheier, Miller, & Fulford, 2009; Luthans et al., 2010, p. 46; Reivich & Shatte, 2002; Seligman, 1990, 2002; Yeager & Dweck, 2012). Both the expectancy-value and explanatory style approaches to optimism recommend cognitive-

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behavioral techniques as the most straightforward way to develop flexible optimism (Carver et al., 2009, p. 309; Ellis, 1991; Reivich & Shatte, 2002; Seligman, 1990, 2002). PsyCap interventions largely cultivate optimism through the pathway-generation and obstacle-planning exercises used in the development of hope and self-efficacy, as discussed above (Luthans et al., 2006; Luthans et al., 2010). By building efficacy for pathway-generation and obstacle-planning, participants are believed to build a foundation for positive expectancies and confidence that their goals could be accomplished (Luthans et al., 2010).

While growth mindset theory has yet to be expressly incorporated into PsyCap interventions, mindset interventions bear mentioning in this context. Similar to PsyCap's optimism, proponents of the growth mindset theory view mindsets as open to development through targeted interventions (Yeager & Dweck, 2012). Recent studies show that even just teaching students that intellectual and social qualities can be developed can significantly impact resilience following academic and social adversity (Yeager & Dweck, 2012). The interventions used in these studies were brief, 30-minute theory exercises involving reading and writing. They were targeted to the specific population being studied and then delivered either in person or online. Encouragingly, the efficacy of these interventions in increasing resilience remained strong months later even without explicit reinforcement (Yeager & Dweck, 2012).

The Resilience Resource in PsyCap

“The greatest glory in living lies not in never failing but in rising every time we fail.”

– Nelson Mandela

Resilience in the PsyCap model is defined as “having the capacity to bounce back from adversity, failure or even positive but seemingly overwhelming changes such as increased responsibility” (Luthans & Youssef, 2004, p. 154). Evidence of how resilience can be developed

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in organizations and the effects of doing so is only beginning to emerge (Luthans, 2002b; Luthans, Youssef, & Avolio, 2007; Luthans, Luthans, & Avey, 2014). Initial PsyCap research has found positive correlations between resilience and desirable performance outcomes (Luthans et al., 2007; Luthans, et al., 2006; Luthans et al., 2005; Youssef, 2004).

For example, in a study of managers and students, experimental interventions were used to develop resilience by teaching subjects to be more adaptable, remain realistic and consider different options for taking action when faced with adversity. As a result, resilience was significantly increased from pre-test to post-test. This suggests that one does not need to face significant adversity to develop resilience, but that it can also be developed through learning to better handle the regular challenges of working life (Luthans et al., 2006).

Resilience research is primarily based on decades of work in developmental psychology that focused on spotting vulnerability to adversity in specific populations while also identifying and developing the protective factors that might modify its negative effects (Luthans et al., 2010; Luthar & Chechetti, 2000; Masten, 2001; Masten, Cutuli, Herbers, & Reed, 2009). Vulnerability to adversity is related to the negative conditions or circumstances present within a given population (Luthar & Chechetti, 2000; Masten & Reed, 2002). In the case of lawyers, they may be more vulnerable to adversity due to personality and ego. This possibility is suggested by personality assessments showing that lawyers score alarmingly low on resilience—averaging in the 30th percentile compared to the general public's average score in the 50th percentile (MacEwen, 2013). This data suggests that lawyers' vulnerability may be due to ego traits like defensiveness, skepticism, hypersensitivity to criticism, and the resistance to taking in feedback (MacEwen, 2013; Richard, 2002). Adding to this is the evidence that lawyers tend toward pessimism (Howerton, 2004; Satterfield, et al., 1997), a state known to weaken resilience

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(Satterfield et al., 1997; Seligman et al., 2001; Seligman, 2002). Lawyers' low resilience and pessimism may, in part, explain their heightened risk for developing depression, anxiety, and substance abuse problems (Beck, Sales, & Benjamin, 1995; Eaton et al., 1990; Mauney, n.d.; Schiltz, 1999). Other potential detrimental factors may include burnout and stress (e.g., Baron, Eisman, Scull, Veyzer, & Lieberman, 1996; Smith & Carlson, 2001), risks readily present in the legal profession.

Fortunately for lawyers, research also identifies certain protective assets, resources and competencies that are developable and contribute to increased resilience. At the individual level, these resources include self-regulation, flexible optimism, positive attachments, self-efficacy, impulse control, and effective problem solving, among other things (Masten et al., 2009, Table 12.2; Reivich, Seligman, & McBride, 2011; Reivich & Shatte, 2002; Luthans, Youssef, & Avoilo, 2007).

A notable example of the promise of resilience interventions is the U.S. Army's Master Resilience Training ("MRT"). The MRT uses cognitive-behavioral therapy techniques like thought awareness to enhance resiliency competencies like the PsyCap resource of flexible optimism (Harms, Herian, Krasikova, Vanhove, & Lester, 2013; Reivich et al., 2011). The goal of this approach is to learn that it is our thoughts and not external events that really drive how we feel and how we react to situations, and to then work to identify and control the thoughts and beliefs that trigger our strong reactions. When we learn to change how we think about a trigger event, we can learn to adjust our resulting feelings and reactions to be appropriate to the situation (Reivich & Shatte, 2002). Preliminary research shows that developing a flexible optimistic explanatory style in this way is effective for increasing soldier well-being and performance while also buffering against the growing epidemic of mental illness in their population (Harms et al.,

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2013; Reivich et al., 2011; Reivich & Shatte, 2002).

PsyCap interventions take a practical approach to resilience growth, targeting asset-, risk- and process-focused strategies (Luthans et al., 2007). To develop this resource, participants first build their awareness of the various individual and organizational assets at their disposal. For law associates, assets might include their individual skill, education, knowledge and experience along with organizational assets like mentors, training programs, competent co-workers, or organizational budgets (Luthans et al., 2007; Luthans et al., 2014; Masten et al., 2009; Luthans et al., 2010). Gaining this awareness coupled with the cultivation of new assets, prepares associates to know what assets they can call upon to help them to manage difficult situations, thereby increasing levels of resiliency.

Risk-focused strategies in PsyCap interventions similarly begin with an identification of the risk factors that might decrease a participant's resilience over time. Law associate risk factors could include a verbally abusive boss, lack of social support, inadequate mentoring, or the associate's own pessimism. To boost resilience, participants of PsyCap interventions are encouraged to manage and reduce risk in a proactive rather than reactive approach (Luthans et al., 2007; Masten et al., 2009). For example, an appropriate proactive risk-focused strategy for a law associate might include strengthening personal relationships or learning flexible optimism.

Process-focused strategies go beyond cultivating assets and limiting risks. Instead, participants learn to target the processes that enhance resilient functioning—the dynamic interaction between the participant, situation, and the proper mix of assets for appropriately managing the risk (Luthans et al., 2007; Masten et al., 2009). In the context of a law firm, a process-focused strategy might include programs that target the development of an effective partner/associate mentoring relationship.

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Synergy of PsyCap Resources

POB researchers have found that when PsyCap's four positive resources – hope, self-efficacy, optimism, and resilience – are combined, they have a stronger impact on performance and other positive outcomes than any one of the components alone (Baron, Franklin, & Hmieleski, 2013; Luthans et al., 2006; Luthans et al., 2007; Luthans et al., 2005; Youssef & Luthans, 2010). While each component has conceptual independence and empirical validity in its own right, this synergy in PsyCap is thought to exist because of a common underlying link running between each of the four resources that contributes to a motivational propensity to accomplish goals (Luthans et al., 2005; Luthans et al., 2006; Youssef & Luthans, 2010). Specifically, PsyCap can be explained as the underlying core construct shared among the four resources that is “one's positive appraisal of circumstances and probability for success based on motivated effort and perseverance' that can predict goal attainment and performance” (Peterson, Luthans, Avoilo, Walumbwa, & Zhang, 2011, pp. 430-31 quoting Luthans et al., 2007, p. 550).

Conservation of resources theory. This conceptualization of the synergy of PsyCap finds support in the conservation of resources (“COR”) theory (Hobfoll, 2002). COR has been used to explain what PsyCap is, how it works and the synergy that is apparent when the four resources of hope, self-efficacy, resilience, and optimism are combined (Luthans et al., 2010; Youssef & Luthans, 2007). Originally introduced as a framework for understanding and predicting the consequences of stress, this theory suggests that some individual constructs are best understood as being part of cumulative sets or “resource caravans” that tend to develop, manifest and get used as a collective rather than in isolation (Youssef & Luthans, 2007; Hobfoll, 2002; Chen, Westman, & Hobfoll, 2015).

These resources are theorized to aggregate, creating and sustaining each other in what has

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been referred to in the COR literature as gain spirals (Chen et al., 2015). For example, those who have high self-efficacy with the confidence to take on and put in the necessary effort to succeed at challenging tasks might be more capable at identifying and using their other available resources to remain resilient in the face of adversity (Bandura, 1997, p. 3; Chen et al., 2015). Similarly, because those that are high in hope tend to have more self-efficacy on specific tasks, they more readily bounce back after difficulty (Snyder, 2000, pp. 39-40).

Broaden and build theory. Further support for the synergistic characteristics of PsyCap can be found in Fredrickson's (1998, 2001, 2003) broaden and build theory of positive emotions (Luthans et al., 2010; Youssef & Luthans, 2007). The four PsyCap constructs are primarily about an individual's various ways of thinking. But because one's perceptions about the success or failure of their goal-pursuit influences their emotional reactions, emotions also play a part (Maddux, 2009; Snyder, 2009). Fredrickson's (1998, 2001, 2003) research shows that positive emotions broaden inventories of thoughts and actions such as creativity, brainstorming, and problem-solving skills, characteristics important to attorney success, and that these inventories then build intellectual, physical, and psychological resources. The increase in these resources, in turn, results in increased positive emotions, setting up a positive cycle that supports increased well-being, optimal individual performance, and a heightened ability to adapt to difficulties (Youssef & Luthans, 2007; Fredrickson & Joiner, 2002). Boosting these psychological resources may also undo some of the destructive impact of negativity so often found in the practice of law, resulting in upward spirals of individual thriving and progress beyond what could be explained by any single resource (Youssef & Luthans, 2007).

PsyCap's Positive Business Outcomes: PsyCap and Individual and Organizational Performance and Well-Being

Attorney talent is the law firm's primary asset. The firm's ability to develop, access and then leverage the knowledge, skills and abilities of its lawyers is tied directly to its financial success and competitive advantage (Kor & Leblevici, 2005). Many firms prioritize the development of this human capital through associate training programs. Little if any attention is given toward building the psychological resources that not only shape the underlying attitudes and behaviors associated with performance, but that also may keep firm lawyers performing at an optimal level by protecting them against the occupational hazards of the profession. Indeed, compelling research shows that PsyCap influences a variety of outcomes desirable to the law firm. As discussed in more detail below, by enhancing traditional associate training processes to include the development of PsyCap, law firms may boost their competitive advantage while also protecting the firm's investment in its valuable human capital.

PsyCap and Individual Performance and Psychological Well-Being

The overall performance of law firm associates is a metric very important to the firm's bottom line. PsyCap levels are thought to impact individual performance because people with high levels have more resources to draw upon during goal-pursuit (Hobfoll, 2002), meaning that their resulting performance should be better than those that are low in PsyCap (Luthans et al., 2007; Luthans et al., 2008; Newman et al., 2014). Empirical studies support this theory. For example, in a recent meta-analysis of 51 independent samples and a total of 12,567 employees, PsyCap was found to have a strong and significant relationship with performance defined as "individual motivational propensities and effort to succeed resulting in increasing performance output" (Avey et al., 2011, p. 134). Significantly, no major differences were found between the self, subjective, and objective performance measures used in the study and the relationship

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between PsyCap and performance (Avey et al., 2011).

Attitude and behavior. Attitudes and behavior are important elements of performance. Unhappy and distressed associates are more likely to be unproductive, disengaged and disconnected from the organization (Huang & Swedloff, 2010). On the other hand, increases in well-being are linked to many aspects of performance (Avey, Luthans, Smith, & Palmer, 2010; Huang & Swedloff, 2010, p. 337). Those individuals high in PsyCap have stronger beliefs in their ability to handle obstacles on the job and have positive expectations of outcomes. These beliefs drive employee motivation to perform their job well, which in turn increases job satisfaction (Luthans et al., 2007). Indeed, Avey et al.'s (2011) comprehensive meta-analysis found a positive relationship between PsyCap levels and desirable employee attitudes like job satisfaction, organizational commitment, employee well-being, and employee performance as measured in multiple ways. High levels of PsyCap were also negatively related to undesirable employee attitudes such as stress, anxiety and cynicism (Avey et al., 2011).

PsyCap also has been shown to influence extra-role citizenship behaviors not required by an organization's formal reward system, like staying late to help a coworker or attending organizational events that are not required (Avey et al., 2011). These desirable behaviors are thought by some to be due to the broadened problem solving thought-action repertoires that result from the positive emotions experienced by those high in PsyCap (Avey, Hughes, Norman, & Luthans, 2008).

PsyCap buffers against the stress and potential risks of high-demand jobs. There also is growing evidence that PsyCap may buffer individuals against the potential negative effects that come from jobs that are high demand, high stress and require negativity (Abbas et al., 2013; Baron et al., 2013; Liu, Hu, Wang, Sui, & Ma, 2013; Morganson et al., 2014; Roberts et

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al., 2011). Being a lawyer certainly can be a high stress job. The stress, anxiety, and depression that so many lawyers experience not only harms their own well-being and job performance but also is linked to a decrease in overall professionalism (Sheldon & Krieger, 2004; Kreiger, 2005) and an increase in disciplinary actions (Reed & Bornstein, 2010). PsyCap also may help address these areas of serious concern to the profession at large (Burger, 1995; Kronman, 1993). This is an added reason that law firms should invest in the development of PsyCap.

For example, in one study, PsyCap levels were shown to moderate the relationship between work-related stress and incivility (Roberts et al., 2011). This suggests the possibility that attorneys who are high in PsyCap might also exhibit higher levels of professionalism. In another study, PsyCap moderated the relationship between emotional stress, burnout, and job satisfaction (Cheung, Tang, & Tan, 2011). Further studies have shown PsyCap to be negatively associated with depressive symptoms (Liu et al., 2012; Liu, Hu, Wang, Sui, & Ma, 2013; Wang et al., 2012). These results are encouraging, but future research is needed to conclusively establish causal directions (Newman et al., 2014). This research suggests, however, a possible additional benefit of PsyCap—it may play an important role in enhancing professionalism and civility and curbing behavior that results in disciplinary actions.

Work-family conflict and burnout. PsyCap also acts to improve psychological well-being over time, impacting overall quality of life beyond the work domain (Avey et al., 2010; Culbertson, Fullager, & Mills, 2010; Luthans et al., 2013). Evidence is emerging that people who have more available psychological resources are better able to manage and cope with stressors and demands across various life domains, including life at work and at home (Siu, 2013; Morganson, Litano, & O’Neill, 2014; Polatci & Akdogan, 2014). Because of this, PsyCap is thought to act as a positive resource to facilitate improved quality of life and functioning in each

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(Siu, 2013; Morganson et al., 2014).

For example, a study of Chinese doctors found PsyCap to mediate the relationship between work family conflict and burnout (Wang, Liu, Wang, & Wang, 2012). Another found PsyCap to predict work-related psychological well-being and, as a result, feelings of balance between work and family roles (Siu, 2013). A third study found that those with a stressful work environment and high levels of between-role conflict exhibited lower levels of PsyCap (Liu, Chang, Fu, Wang, & Wang, 2012).

These studies strongly suggest that both organizations and individuals can reap benefits from enhancing PsyCap, which can facilitate coping and the proactive management of both work and life roles. Evidence suggests that improving PsyCap generates positive work-family spillover,¹ which can, in turn, decrease the negative work-family spill-over effect on performance. The result may be an increasing organizational productivity and job satisfaction (Morganson et al., 2014, p. 233; Polatci & Akdogan, 2014).

PsyCap and Organizational Performance

Financial performance. Financial performance is another desirable outcome of heightened levels of PsyCap. In one field study that was conducted in a large financial services firm in Australia, PsyCap was found related to the levels of employee financial performance (Avey, Nimmicht, & Pigeon; 2010). Another study using longitudinal data similarly found the existence of a positive relationship between PsyCap and employee financial performance (Peterson et al., 2011). PsyCap is believed to also be strongly related to the financial performance of the entire organization when aggregated to the collective level (McKenny, Short, & Payne, 2013).

¹ Work-family spillover in this context does not conceptualize the work and family domains as necessarily conflicting, but refers to the transfer of positive experiences, moods and attitudes between the domains (Morganson et al., 2014, p. 221).

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Employee attrition, absenteeism and job search behavior. PsyCap has been shown to influence staying intentions (Avey et al., 2011, meta-analytical review), as well as lower levels of absenteeism and job search behavior (Avey et al., 2006; Avey et al., 2009; Chen & Lim, 2012). Therefore, developing associate PsyCap may also help the law firm to alleviate the financial impact of associate attrition as dissatisfied associates are more likely to quit (Huang & Swedloff, 2010).

PsyCap Limitations and Future Directions

Despite the significant findings discussed above and a robust body of work demonstrating the legitimacy and efficacy of the construct, aspects of PsyCap still have limitations. Primarily, there are many unanswered questions about the antecedents of PsyCap and its role as a mediator that provide ample opportunities for future research. This area of study is important because better understanding these issues may help organizations design workplace systems that foster individual PsyCap growth. Future research should also focus on developing a better understanding of the underlying mechanisms of the construct and how it is that PsyCap influences workplace outcomes on individual, team and organizational levels (Newman et al., 2014, p. 121).

Another limitation worth noting is that many PsyCap studies to date have used self-report measures, an approach that risks common method variance and social desirability biases. To add rigor, future PsyCap researchers should consider supplementing their work with alternative measures such as other-report or possibly physiological/biological measures (Newman, Ucbasaran, Zhu, & Hirst, 2014, pp. 123-124). Despite these limitations, substantial evidence indicates that PsyCap is an effective construct for analyzing and developing employees' psychological resources.

PsyCap Interventions for Law Firm Associates

Lawyers are the most important asset of the law firm. Thus, law firms seeking to protect and solidify their competitive edge would do well to adopt training interventions that optimize this resource through the development of the PsyCap of firm lawyers. In this section, I will discuss the feasibility for law firms to adopt PsyCap training within a law firm in terms of time and cost commitment and will briefly explain the processes of established PsyCap interventions. I will conclude by outlining a proposed PsyCap intervention for law firm associates.

PsyCap can be Developed Through Short Interventions

Research shows that PsyCap can be developed through brief workplace training sessions lasting no longer than three hours (Luthans et al., 2010; Luthans et al., 2008). The effects of such short training are believed to be sustainable over a period of time (Luthans & Youssef, 2007; Luthans et al., 2007) with evidence showing the continued stability of PsyCap over a period of five months after the intervention (Siu, 2013). These findings are in line with the accumulated findings that a significant portion of one's well-being may be elevated through intentional activities (Lyobomirsky, King, & Kiener, 2005; Sheldon & Lyubomirsky, 2006).

The brief length of PsyCap interventions and its reasonable staying power make it very realistic for a law firm to add this training to its lawyers' busy calendars from time to time. Indeed, the demonstrated efficacy of short training interventions in the workplace (Luthans et al., 2008; Luthans et al., 2010; Luthans, Luthans, & Jensen, 2012; Luthans, Luthans, & Avey, 2014) make PsyCap interventions an attractive option for law firms seeking to increase their competitive edge.

The Processes of Established PsyCap Interventions

The most-studied PsyCap intervention is the PsyCap Intervention (PCI) training model

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developed by Luthans et al. (2006). The PCI is aimed at developing individual levels of hope, self-efficacy, resilience and optimism while also boosting the overall level of PsyCap. It can be administered with little cost and has been shown to raise PsyCap in comparison to a control group both by delivery through in-person training lasting three hours or less (Luthans et al., 2007; Luthans et al., 2010) and through a two-hour online course (Luthans et al., 2008).

The approach of the PCI is to instruct participants on each of the four PsyCap components, including how each capacity applies to the person's workplace in general and job in particular (Luthans et al., 2006; Luthans et al., 2008). The training involves facilitator-guided practice in implementing each of the PsyCap resources using both individual and small-group work, along with encouragement of individual reflection on instances where participants have either witnessed or used these capacities in their own lives (Luthans et al., 2006; Luthans et al., 2007; Luthans et al., 2010).

The web-based format of the PCI takes a similar approach but facilitates the intervention through two separate on-line sessions that use narrated PowerPoint presentations, short video clips, and reflection prompts to remotely develop each of the four PsyCap resources (Luthans et al., 2008). Emerging evidence has shown this web-based intervention to be efficacious (Luthans et al., 2008; Luthans, Luthans, & Avey, 2014).

PsyCap has a High Return On Investment

The likely cost to a law firm for enhancing associate development with PsyCap training would be relatively minimal. In-person facilitation of an approximately three-hour intervention session would require only the hourly fee of the facilitators plus any associated training overhead. Web-based PsyCap training could be even more economical, minimizing the cost of facilitating the intervention while also maximizing convenience and accessibility to busy firm

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associates (Luthans et al., 2008). Further, an analysis of PCI studies through utility analysis using real data found a return on investment of over 200% when analyzing the percentage increases in PsyCap (Luthans et al., 2007; Youssef & Luthans, 2007). Thus, the investment in a PsyCap intervention seems well worth law firms' cost, time and effort.

Proposed PsyCap Intervention for Law Firm Associates

My proposed PsyCap training intervention will be directed toward law firm associates and will focus on the development of hope, self-efficacy, resilience, and optimism. The training will take place over the course of three separate sessions. The first session will be web-based, last no longer than twenty minutes, and will give an overview of PsyCap and its role in performance and prevention. The subsequent two sessions will be live ninety minute seminars facilitated by two non-firm lawyers. In-firm partners that have been previous participants and supporters of the program will assist these facilitators by sharing their experiences with the associates and modeling optimal attitudes and behavior.

As shown below in **Figure 2**, the overall structure of the proposed PsyCap training will use a modified version of the “Aware, Explore, Apply” framework that is often used in successful strength building interventions (Niemic, 2014). Here, in the “aware” phase, facilitators will instruct on PsyCap's positive capacities and how they relate to success within the practice of law. The introductory portion of this phase will also touch upon the occupational hazards of the profession to build an understanding of the need for and benefits of developing PsyCap.

During the “explore” phase, participants will engage in facilitator-led exercises in which they will consider various goals, challenges, thoughts, emotions, and behaviors relative to the particular capacity being discussed. For example, participants will consider a past challenging

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work situation where they felt stuck in terms of resilient thinking or self-efficacy. Then participants will explore actions within their control that could have addressed the situation in a tenable way (Luthans et al., 2008). Finally, in the “apply” phase, participants will learn how the capacities of PsyCap that they practiced in the “explore” phase could be used to help them accomplish future goals and to face challenges all while remaining resilient and productive. Self-reflection exercises will also be incorporated that help participants to understand past thoughts, emotions and behaviors and to set new intentions for future actions (Luthans et al., 2008).

Pre and post intervention measurement of participants PsyCap levels will be taken. The most widely used measure is a 24-item questionnaire that allows for the evaluation of PsyCap as a whole and the study of the four sub-scales of hope, optimism, self-efficacy, and resilience (Luthans, Avolio, et al., 2007). Assessment will be important to determine if the training made a difference in the way that was intended or in some other unexpected way. It will also inform whether changes to the intervention are advisable and provide a tool to justify to stakeholders the need to continue to put resources into the program.

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Figure 2. Proposed PsyCap Training

Session	Time	Topics Covered	Elements of the Curriculum
Pre-work	20 minutes	PsyCap for Prevention and Performance	Discussion of the psychological hazards of the legal profession, effect on professional performance and overall well-being, and resources for prevention. Overview of scientific basis for PsyCap provided.
1	90 minutes	Resilience	" Aware " - Introduction of resilience and self-efficacy and explanation of how each capacity is applicable to the practice of law. " Explore " - Identify personal workplace challenges to resilience and efficacy. Use of self-reflection exercises and small group facilitation to develop pathways thinking and build awareness of assets, risks and processes that support resilience.
		Self-Efficacy	" Apply " - Practice identifying multiple pathways to achieve work-related goals. Learn to use asset identification and multiple pathways thinking to proactively plan for obstacles and leverage goal achievement.
2	90 minutes	Hope	" Aware " - Introduction to hope and optimism and explanation of relevance to law practice. Time spent on pessimism and how "thinking like a lawyer" is a job skill and not a life skill. " Explore " - Participants practice goal setting by generating goals with characteristics of being valuable, challenging and having a clear beginning and end point. Participants taught that large goals should be divided into smaller through "stepping" techniques. Small group feedback is given on additional pathway and identification of obstacles. This practice of identifying positive outcomes, make goals seem more attainable and boost levels of optimism expectancy. Modeling is used along with self-reflection exercises.
		Optimism	" Apply " - Participants identify a personal work-related goal and apply goal setting and expectancy techniques learned to apply in actual work setting.

(Luthans et al., 2010; Luthans et al., 2008).

Conclusion

Attorneys' psychological resources are as vital to law firms' competitive edge as the attorneys' knowledge, skills and experience. To optimize firm performance, firms no longer can invest only in the development of lawyers' legal skills. Firms also must build attorneys' psychological strengths that can help to buffer them against the occupational hazards of the profession. Ultimately, dissatisfied or dysfunctional lawyers constitute a misallocation of the firm's most important resource--the individual lawyer. Therefore, to remain competitive, law firms should evolve and integrate wellness into the workplace culture. In this Capstone, I have proposed that law firms enhance their traditional associate training processes with short PsyCap interventions aimed at developing the capacities of hope, self-efficacy, optimism and resilience. If adopted, this program will likely increase performance and help tackle recruiting and attrition issues with the resulting cost savings to the firm. It also will provide the added value of protecting the firm's primary asset, the cognitive and emotional health of its attorneys. In short, by promoting lawyer strengths and well-being through an investment in in PsyCap, law firms will be making a smart long-term investment in policies that are good for the lawyer, good for the law firm and ultimately good for business

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