And with that burnout, research shows that attorneys have alarmingly high rates of alcoholism, substance abuse, depression, and suicide. The groundwork is often laid during law school, with national studies showing that about 40 percent of law students are clinically depressed by graduation — a rate that’s five times higher than the general population.

UW Law School aims to do something about that.
Like generations of UW Law alumni, today’s students master constitutional law, contracts, negotiations, torts, evidence, and other legal topics. But now there’s a new word echoing in the halls of UW Law School: resilience. Simply put, resilience is the art of bouncing back in the face of setbacks. Championed by Sarah Davis ’02, MPA’02 and Mitch ’03 — clinical professors and UW graduates who have seen the power of resilience transform their own law practices — the study of resilience is starting to seep into the Law School culture.

By Nicole Sweeney Etter
“I’m really excited to build resilience into the long-running theme of Law in Action at the Law School,” says Mitch, an assistant clinical professor and director of the Neighborhood Law Clinic. “Being an attorney means working for people who have problems — problems that are so severe, so intense, so complicated that clients cannot handle them on their own, that they’re willing to seek out and often pay a large sum for someone else to handle,” he says. “As a lawyer, this is what you’re up for. You’re not singing at birthday parties for people. You’re dealing with clients in extreme stress, and it’s not a happy job most of the time. You basically take on other people’s setbacks and try to work through them.”

Although setbacks and stress are unavoidable, there’s a healthier way to deal with them instead of complaining to colleagues or hitting the bar after work. Those are the life-changing lessons that UW Law School faculty hope to pass on before students enter the demanding world of practice.

Journey toward resilience
Davis and Mitch started focusing on resilience a couple of years ago after Tricia Bushnell, a former supervising attorney for the Wisconsin Innocence Project, approached them about co-presenting on the topic at the Midwest Clinical Conference. All three knew that resilience was critical to their work.

Bushnell, who now works at the Midwest Innocence Project, represents inmates on death row. As director of the Neighborhood Law Clinic, Mitch helps low-income clients fight housing and employment disputes. Davis, who is associate director of the Center for Patient Partnerships, advocates for patients who are facing life-threatening illnesses and devastating medical bills.

“The work we do in the clinics takes a toll. How would it not?” Davis says. “It would be more of a danger not to feel the impact that illness and medical
Mitch learned the importance of resilience at an early age. Both of his parents died of cancer within a few years of each other, leaving him an orphan by age 14.

“Navigating my way through high school, college, and law school on my own was difficult, but sometimes those are the things that inspire you,” he says. “I thought, ‘I’ve seen some bad things, but maybe I can go out and help some folks.’”

After graduation, Mitch founded Community Justice, a nonprofit law firm in Madison. He served as a guardian ad litem for vulnerable children, advocated for people with mental disabilities, and defended low-income clients in criminal cases. While rewarding, the work was also emotionally exhausting. When Mitch joined the Law School clinical faculty, his practice shifted toward housing and employment law, and he figured those cases would be less intense.

Yet day after day of hearing about his Neighborhood Law Clinic clients losing their jobs and homes is also emotionally demanding. When Mitch and his UW Law School colleagues started discussing how to best foster resilience, he got excited about the possibilities.

“This is not just something you need if you litigate or work on death row,” he says. “It’s also what you need if you work on transactional cases, or if you’re filling out tax forms for clients.”

**Training the next generation of resilient lawyers**

In search of practical tools they could share with their students, Davis and Mitch began researching what was being taught about resilience around the country. They brought in consultant Paula Davis-Laack, a former attorney who specializes in resilience training, for a full-day workshop with faculty and students last summer. “It was one of the best trainings I’ve ever gone to,” says Davis. “It was phenomenal, and it was really grounded in concrete ideas of how you can build these skills, whether you’re in the clinic or an incredibly stressful law firm.”

Dealing with heart-wrenching cases is not only trying for practicing attorneys, but it’s also difficult for law students.

“In our clinics, our students are practicing the skills of communication, tracking cases, how you apply the law and theory of law to real-life situations,” Davis says. “But the work our students are doing with real people can also be incredibly stressful and sad. So how do young professionals process and deal with these issues, and what are we teaching them about it?”

One way is through “talking circles,” which debuted in the Economic Justice Institute’s clinics last summer.

“Even if you’re surrounded by hundreds of law students, I think law school can be kind of isolating,” says Lauren Bishop, a second-year law student who works in the Neighborhood Law Clinic. “I’m surprised at how I’ve become so much closer to my fellow law students, especially the students in the talking circles. Having an outlet to share our views has helped us feel less alone.”

Although the larger talking circles stopped once fall classes resumed, students in the Neighborhood Law Clinic continue to meet in small groups to talk about how things are going. Mitch sees expression as a key part of self-care and building community.

“Self-care sounds like a mumbo-jumbo, yoga, burning candles kind of thing, but resilience is about toughness,” Mitch says. “We tend to bottle up our emotions because we think to show them means we’re not succeeding. But we need to share how we’re feeling; we need to debrief.”
Momentum continues to build. Starting this semester, the Law School’s Office of Career and Professional Development is offering first-year law students the chance to earn a new professional-development distinction. Participants attend a three-workshop series on resilience led by Mitch, Davis, and Carrie Sperling, a clinical associate professor of law. All law students are invited to attend the workshop, where sessions will cover what students can do to prepare for the difficulties of law practice, techniques they can use during their practice, and how to debrief after a setback.

Other workshops and activities offered in the professional-development program focus on self-awareness, empathy, critical inquiry, making presentations, and active listening.

“We’re trying to get students to think about skills that aren’t always covered in law school but that are equally important to client counseling and practicing law,” says Megan Heneke, associate director of career and professional development. “One key idea we are trying to pass along is that learning how to cope with not getting the outcome you wanted is very important to your mental health and to your clients so you can keep going and persevering.”

Davis also incorporated a unit on resilience into her Public Health Law Practice Workshop course this spring.

“I think resilience training can be integrated in small ways in a lot of different courses and clinics,” she says.

**An everyday practice**

That’s the approach Mitch and Davis take in their personal lives, too. As part of Davis-Laack’s workshop, they took an assessment that ranked their top strengths so that they could be more aware of skills they might overuse in times of stress, as well as areas that could be improved. After Davis noticed she ranked low on “appreciation of beauty,” she started pausing throughout the day to admire the beauty of the snow or the view outside her office window. Through the program, she learned that exercise is vital to her physical and emotional well-being.

“You don’t master resilience and then move on. It is life’s work to foster it. You don’t have to always get it right. You just have to keep trying.”
“I’ve put exercise in the same category as I put sleeping and eating: I have to do it,” says Davis, who plays in a recreational roller-derby league and often begins her day at the gym.

Davis also sets boundaries with her work schedule. She rarely checks work email on weekends and tries to avoid scheduling meetings on Tuesdays and Thursdays so she can make progress on big projects. And she tries to be more aware of her own responses before springing into action, even when she’s upset over a client’s predicament. “You can’t do your job well if it’s becoming about you and your emotional response to it,” she says.

Mitch, who leads a “mindfulness minute” to help himself and his students focus at the beginning of class, sums up his resilience toolbox as GEMS: gratitude, exercise, meditation, and sleep. “Work in all of those things on a daily basis, and you’ll have a much healthier practice,” he tells his students.

In addition to sharing his own strategies, Mitch requires his students to present on a healthful practice they’ve adopted. “The students have responded to it tremendously well,” he says.

For Bishop, meditation has been key to coping with the grueling demands of law school. She also tries to build her own resilience in other ways, including exploring Madison and making friends outside of law school.

Even with practice, resilience isn’t always easy. “You don’t master resilience and then move on. It is life’s work to foster it,” Davis says. “You don’t have to always get it right. You just have to keep trying.”

Paula Davis-Laack, a former lawyer and resilience expert in Milwaukee, sees interest in resilience growing among law schools and law firms nationwide. Her clients have included the American Bar Association, Association for Women Lawyers, and National Association of Legal Professionals, among others. She shares these tips to build resilience:

**Develop high-quality connections.** “One of the biggest killers of resilience, happiness, and well-being is not having enough of a community that you can go to when things aren’t going great,” she says. “High-quality connections are marked by a sense of trust, a sense of engagement, and even a sense of play. The more high-quality connections you have, the better, but even a couple can make a big difference.”

**Know what works for you.** Whether it’s exercise, meditation, or fresh air, carve out time to refuel. “Really understanding how you can manage your stress and avoid burnout is one of the best ways to build resilience,” she notes.

**Be authentic.** That was something Davis-Laack struggled with early in her career. “I would show up at work acting how I thought a lawyer would act, and I would leave the best parts of my personality at home,” she says. But being yourself is more energizing and likely to foster the close connections that are also key to resilience.

**Analyze yourself.** “It’s really important to understand when your beliefs are helping you and when your beliefs are getting in the way,” she says. Do you believe that the only way something is going to get done right is to do it yourself? Recognize the mindsets that could be leading you to burnout.