
Skills to Progress & Flourish In-House

2025 ACC TN New to In-House Program

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Preliminary Questions

- Why did you choose to become a lawyer?
- Why did you choose to work in-house?
- What do you hope to accomplish in your career?
- How do you hope others describe you?

Agenda

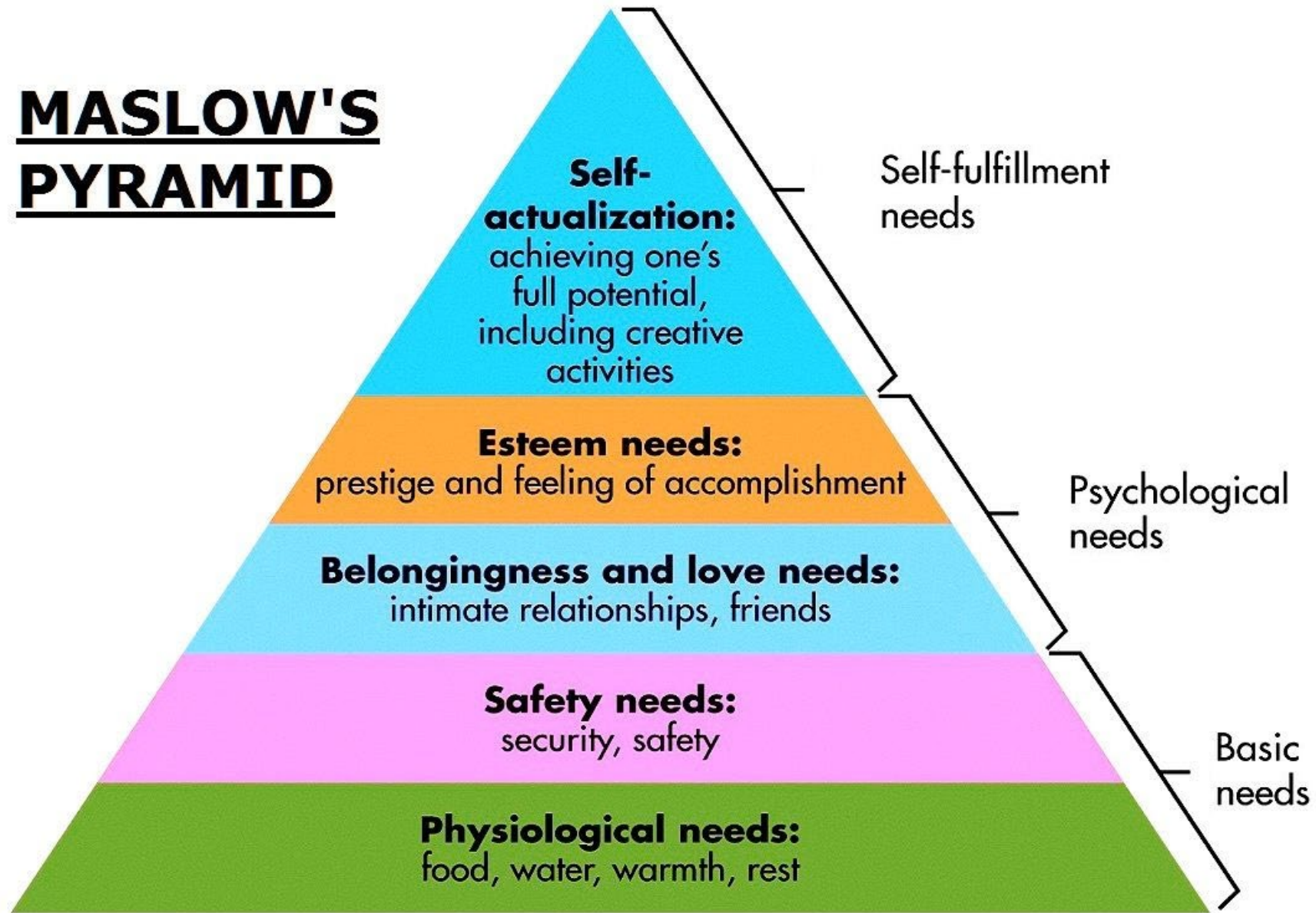
- Technical Skills & Best Practices (other panels)
- Flourishing
 - What is Flourishing?
 - What are the necessary ingredients for Flourishing?
 - 5 Flourishing Strategies → Flourishing Skills
 - Flourishing's Connection to Success and Career Progression

What would it look like to
flourish as in-house counsel?

Flourishing as In-house Counsel

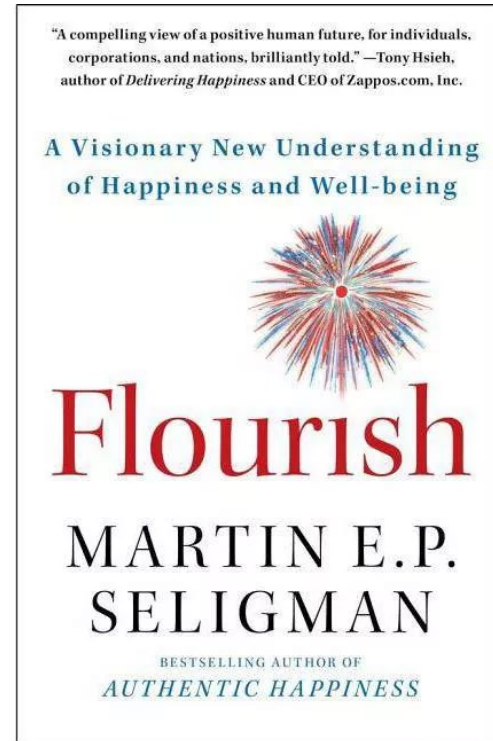
- Interesting work that you find meaningful and enjoy
- You and your work are valued
- You feel free to be your authentic self at work
- Compensated well/fairly
- Appropriately challenged; not bored or overwhelmed
- You like the people with whom you work
- Low drama, collaborative work environment
- Advancing in your career

MASLOW'S PYRAMID



PERMA Model of Wellbeing (Seligman, *Flourish* 2011)

- ▶ Positive Emotions
- ▶ Engagement
- ▶ Relationships
- ▶ Meaning
- ▶ Accomplishment



“We define lawyer well-being as a continuous process whereby lawyers seek to thrive in each of the following areas: emotional health, occupational pursuits, creative or intellectual endeavors, sense of spirituality and greater purpose in life, physical health, and social connections with others. ***Lawyer well-being is part of the lawyer’s ethical duty of competence.*** It includes a lawyer’s duty to make healthy, positive work-life choices...and maintaining their own long-term well-being.”

- The Path to Lawyer Well-being, from the ABA Report of the National Task Force on Lawyer Well-Being (2017) (emphasis added)

Tennessee Rules of Professional Conduct:

Rule 1.1 (Competence)

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Tennessee Rules of Professional Conduct:

Rule 1.3 (Diligence)

A lawyer shall act with reasonable diligence and promptness in representing a client.

Tennessee Rules of Professional Conduct:

Rule 1.4 (Communication)

(a) a lawyer shall:

- (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in RPC 1.0(e), is required by these Rules.
- (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
- (3) keep the client reasonably informed about the status of the matter;
- (4) promptly comply with reasonable requests for information; and
- (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Five Strategies for Flourishing

- Increase Positive Interactions and Emotions
- Cultivate Positive Relationships
- Identify and Use Your Strengths Regularly
- Exercise / Physical Activity
- Relax, Rest and Rejuvenate

1. Increase Positive Interactions & Emotions

Repeated exposure to something changes our daily experiences and perspective

Our brains perform better in a positive state (over negative or neutral)

High-performing teams have a 5:1 positive-to-negative ratio



“Pessimism is seen as a plus among lawyers, because seeing trouble as pervasive and permanent is a component of what the law profession deems prudence. A prudent perspective enables a good lawyer to see every conceivable snare and catastrophe that might occur in any transaction. The ability to anticipate the whole range of problems and betrayals that nonlawyers are blind to is highly adaptive for the practicing lawyer who can, by so doing, help his clients defend against these far-fetched eventualities. And if you don’t have this prudence to begin with, law school will teach it to you. Unfortunately, though, a trait that makes you good at your profession does not always make you a happy human being.”

- Martin E. P. Seligman, *Authentic Happiness* (2002, p. 178)



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How do you implement this strategy at work?

Increasing Positive Interactions



Get to Yes

Help move the business forward. Offer options (“what if we did it this way”) vs. just saying “no” or “you can’t do that.”



Take Note of the Good Stuff

Keep a journal of “wins” or positive interactions.



Express Gratitude

Say thank-you to coworkers, both publicly and privately.

2. Cultivate Positive Relationships

- Legal is the loneliest profession in America (per ABA, by 25%)
- Social bonds reflect more than physiological needs (Harlow, 1974)
- Social support buffers against the effects of stress (Cassel, 1976)
- Good relationships are arguably the most important source of life satisfaction and wellbeing (Reis & Gable, 2003)

How do you implement this strategy at work?

Cultivate Positive Relationships



Go to Lunch

Don't isolate yourself in your office. Get to know your new colleagues. Ask them about themselves, as well as their business.



Ask for Help

Your willingness to be vulnerable enables kindness and builds trust, which is crucial to forming social connections.



Share Good News

Sharing good news can increase the wellbeing of both people in the conversation.

Active Constructive Responding

Shelly Gable, Ph.D.

	Constructive	Destructive
Active	<i>Enthusiastic Support</i>	<i>Quashing the Event</i>
Passive	<i>Quiet, Understated Support</i>	<i>Ignoring the Event</i>

3. Identify and Use Your Strengths

- Higher level of positive emotions → higher work satisfaction and productivity (Seligman, 2002)
- 6x more likely to feel engaged with your work
- 1/3 of employees have opportunity to use their strengths on a daily basis (Rath, 2007)
- VIA Inventory of Strengths, 16 Personalities, Myers-Briggs, StrengthsFinder
- authentichappiness.org

VIA Strengths

Wisdom & Courage

Curiosity
Creativity
Judgment/Open-Mindedness
Love of Learning
Perspective/Wisdom

Courage

Bravery
Perseverance/Industrious
Honesty/Integrity
Zest/Vitality

Humanity

Love
Kindness
Social Intelligence

Transcendence

Appreciation of Beauty & Excellence
Gratitude
Hope/Future-Minded
Humor
Spirituality

Temperance

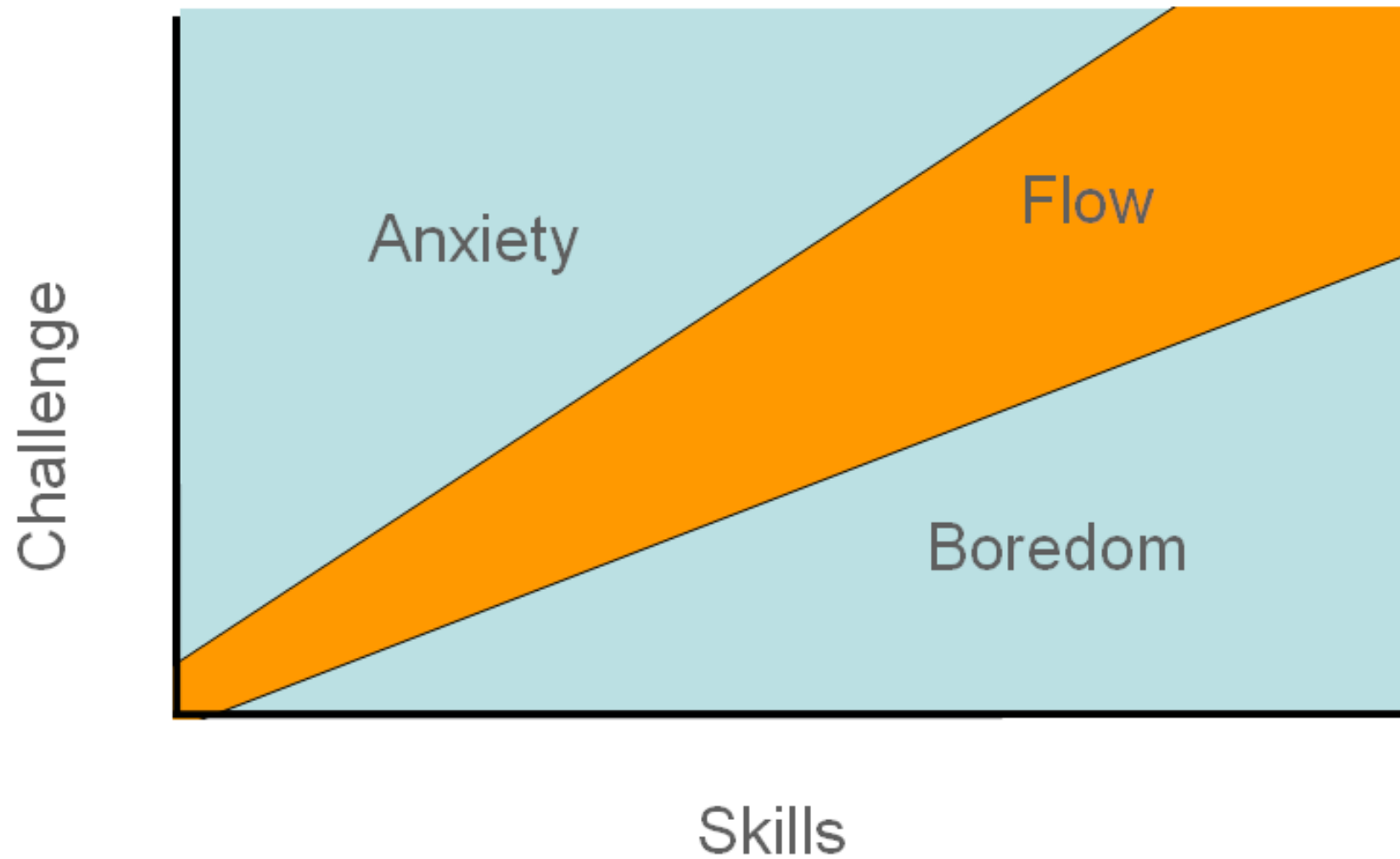
Forgiveness & Mercy
Humility/Modesty
Prudence/Cautious
Self-Control/Self-Regulation

Justice

Citizenship/Teamwork
Fairness
Leadership

Impact of Managers' Focus

Focus	Engaged Employees	Disruptive Employees
Strengths	61%	1%
Weaknesses	45%	22%
Neither (Ignore)	2%	40%



Csikszentmihalyi, M. (1990). Flow: The psychology of optimum experience. New York: Harper and Row.



Common Lawyer Strengths (Kern & Bowling, 2015)

Open-Mindedness

Curiosity

Love of Learning

How do you implement this strategy at work?

Identify and Use Your Strengths



Open-Mindedness

No judgment zone.



Curiosity

Ask questions.



Love of Learning

Learn the business.



4. Exercise / Physical Activity

- ▶ 150 minutes/week of moderate-intensity physical activity
- ▶ 300+ minutes/week for life-extending benefit
- ▶ Less time sitting
- ▶ Muscle-strengthening 2+ days/week
- ▶ 40% of adults not involved in any leisure time physical activity
- ▶ 300,000+ Americans die prematurely every year due to lack of physical activity

This Photo by Unknown Author is lic

Psychological Benefits of Exercise

- Aids in recovery from and onset of depression
- Decreases anxiety
- Buffers against stress
- Enhances and elevates mood
- Increases confidence
- Teaches your brain that your behavior matters
(Babyak et al, 2000)



How do you implement this strategy at work?

Physical Activity



Schedule It

Schedule work-outs like you do meetings. Put them on your calendar ahead of time and don't cancel them.



Walking Meetings

Find physical alternatives to the traditional lunch meeting. Meet up at the gym or in the parking lot and discuss work while taking a lap.



Fitness Tracker

Studies show that the simple use of a fitness tracker motivates people to be more physically active.



5. Relax, Rejuvenate & Rest

Workers in highly stressful jobs were more engaged and exhibited better attitudes at the office on those mornings when they had “switched off” and disconnected from work-related activities the night before.

Don't Forget to Breathe

- Breathing can promote either stress or relaxation
- Shallow and fast breathing through our mouths can contribute to feelings of anxiety
- Email Apnea
- Slow down, breath through your nose and diaphragm to turn on anti-stress response
- 4-7-8 Technique
- Box Breathing



How do you implement this strategy at work?

Relax, Rejuvenate & Rest



Mindfulness

If you are a beginner, start with 2 minutes of intentional breathing in the middle of the day. Lots of guided meditations on apps and podcasts.



Leisure Activities

Don't work up until the moment your head hits the pillow. Read, knit or play Scrabble with your kids before bedtime. Engage in hobbies, spend time with friends and take your vacations.



Disconnect from Tech

Put down your phone at least one hour before you go to bed and don't pick it back up until one hour after you wake up.



What does Flourishing have to do with Career Advancement?

High Wellbeing Leads to Success

- Meta Analysis of Over 200 Studies
- Higher Success
- Improves Focus and Productivity (Fewer Mistakes)
- Mitigates Negative Impact of Stress (Fewer Sick Days)
- Increased Motivation and Higher Engagement

Signs of Burn-out

Working for
extrinsic rewards.

Every curveball is a
major crisis.

Chronic low energy
and exhaustion.

Getting sick more
frequently.

Not recharging or
relaxing.

Having a sense of
inefficacy.

Feeling disengaged
and being
consistently
checked out.

Cynicism is the
norm.

Can't let go of
perfection.

Too many demands
and not enough
resources.

Tennessee Lawyers Assistance Program

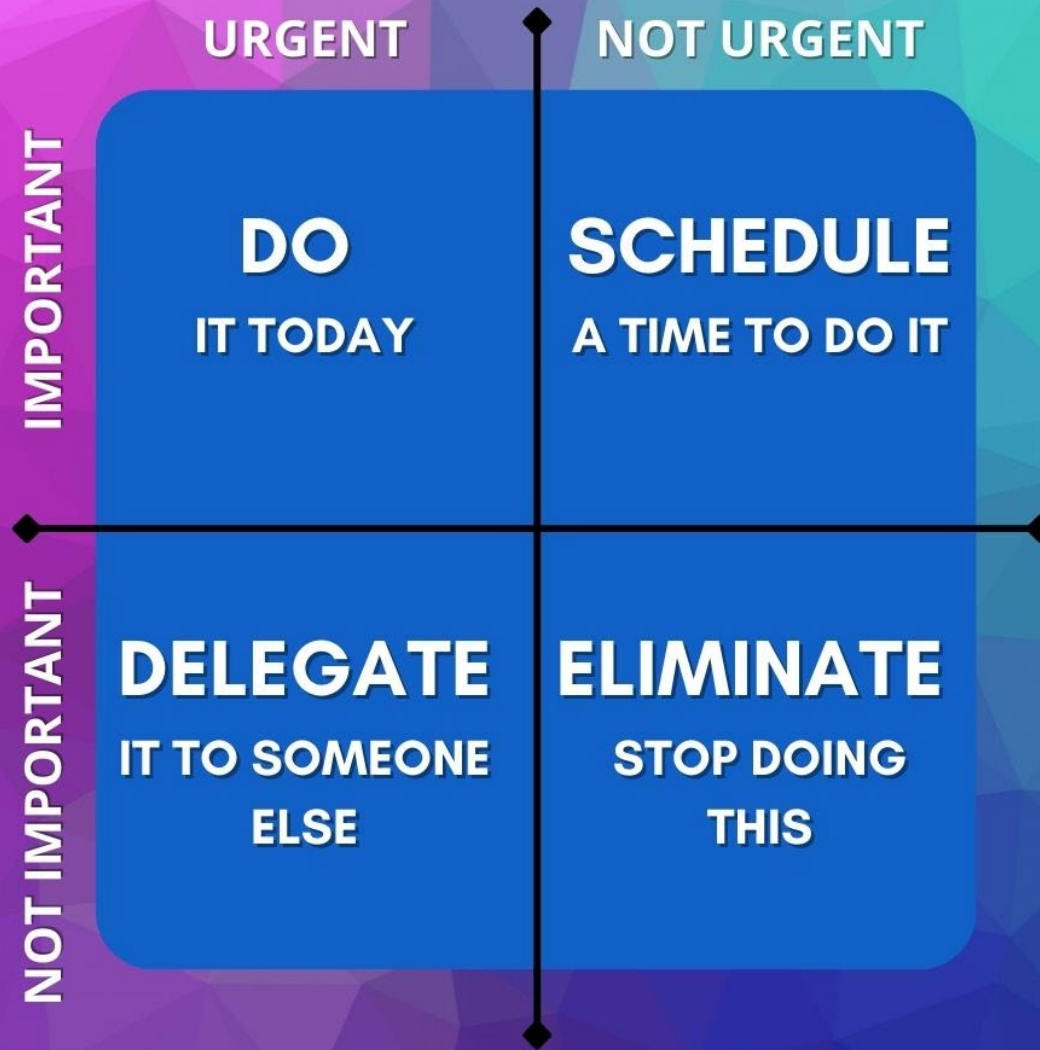
- tlap.org
- 615.741.3238 or 877.424.8527
- Call is free and confidential
- Substance abuse, stress, burnout, depression, suicidality, anxiety



Tips for Flourishing In-House . . . *and Beyond*

- Remember your motivation and don't let others define success for you
- Identify your priorities and goals and recognize that they are not static (i.e. reassess throughout your career)
- Know yourself, your strengths and your value; consider all when making career choices
- Work hard and be helpful, but not to your detriment
- Take care of yourself; ask for help when you need it
- Get comfortable being uncomfortable; you won't know everything
- Look for meaning and the “good stuff”
- Plan, do, reflect; distinguish between urgent and important

THE EISENHOWER MATRIX



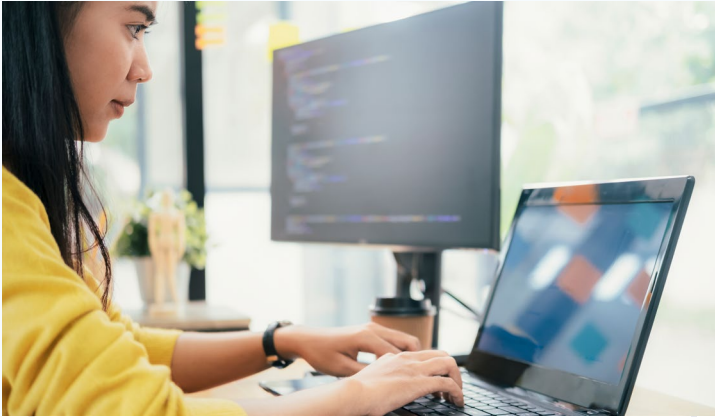
Tips for Building & Leading a Thriving Team

- Identify and communicate your priorities and goals and recognize that they are not static (i.e. reassess)
- Give FAST feedback (frequent, accurate, specific and timely)
- Give clear instructions and inform people of change
- Ensure your team has ample resources (prevents burnout)
- Model appropriate self-care
- Lead with authenticity and vulnerability (i.e. ask for help)
- Identify and utilize team's strengths
- Watch out for your new or junior lawyers

**What will you do this
upcoming week to support
your or your team's thriving?**

For more information on attorney wellbeing or building resilient teams, check out these

Additional Resources



Websites

acc.com/acc-wellness

lawyerwellbeing.net

americanbar.org/groups/lawyer_assistance

mindfulbusinesscharter.com

authentichappiness.org



Books

ACC Well-being Toolkit for In-house Counsel

Beating Burnout at Work and *Lead Well* by Paula Davis, J.D., M.A.P.P.

Lawyers as Leaders by Deborah Rhode

The Flourishing Lawyer by Heidi K. Brown

Relationships to Infinity by Jason Levin



Podcasts

The Path to Well-Being in Law

The Resilient Lawyer (archived)

Leveraging Latitude

Legal Well-Being in Action (NM Bar)

On Balance (MI Bar)

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Candice assists in-house managing attorneys and legal ops leaders meet the demands of their business clients, without burning out their existing team or blowing their internal budgets, by connecting them with experienced legal professionals who choose to work on an engagement basis. She previously served as Chief Ethics Officer & in-house legal counsel at Ceridian Corporation and Comdata, where she oversaw operational ethics compliance worldwide.

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