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|  <p>attorney advertisement</p> <p><small>Copyright © Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304. The content of this packet is an introduction to Cooley LLP's capabilities and is not intended, by itself, to provide legal advice or create an attorney-client relationship. Prior results do not guarantee future outcomes.</small></p> | <h2>Break Free From Imposter Syndrome: Embrace Your Competent, Capable Self</h2> <p>Acc - SD Presenter Michelle Greer Galloway</p> |
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|---|---|
| <h2>Michelle Greer Galloway</h2> | |
|  | <ul style="list-style-type: none">• Of Counsel in the IP Litigation Practice Group of Cooley LLP• Lecturer in Law at Stanford University and Santa Clara University School of Law• Executive Committee, Litigation Section of California Lawyers Association (2018-2021)• Past Chair, ABA Intellectual Property Section, Professional Ethics and Responsibility Committee• Contact Michelle at mgalloway@cooley.com or 650-843-5161 or michelleseminars@gmail.com• For information about seminars Michelle offers, go to https://www.cooley.com/people/michelle-galloway and click on the red box. |

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Overview

- Imposter Syndrome
 - What is it?
 - What Causes it?
 - How it leads to behaviors that are inconsistent with competence
- Confidence
 - What is it? Why is it important to law practice?
- What We Can Do to Confront, Counter & Overcome Imposter Syndrome

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Chat Room

- Have you ever experienced imposter syndrome?

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Two Harvard Business Review Headline in 2021

Stop Telling Women They Have Imposter Syndrome

by Ruchika Tulshyan and Jodi-Ann Burey

February 11, 2021

End Imposter Syndrome in Your Workplace

by Ruchika Tulshyan and Jodi-Ann Burey

July 14, 2021

So Why Have this Seminar?

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Chat Room

- Does success correlate more with
 - Competence
 - Confidence

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Show of Hands

Success Correlates More With.....?



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Model 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.”

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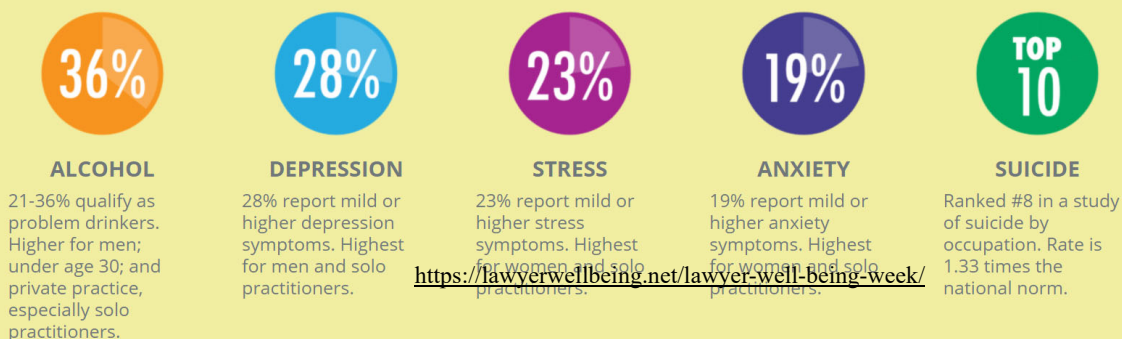
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Lawyers Suffer

THE EVIDENCE IS IN ON LAWYER WELL-BEING

We can no longer ignore our profession's well-being problem.

(Source: Krill et al., 2016; Mental Health Daily report of suicide by occupation)



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Stress and Competence

- Decision Making
- Difficult Discussions
- Professionalism/civility

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Imposter Syndrome and Women Leaving Profession

- “Additionally, women in the legal profession are faced with multiple challenges that impact them greater than they do men, including higher levels of imposter syndrome, sexism related to working in a male-dominated field, not getting recognized or promoted at the same rate as men, and often not being targeted for career advancement by their employers.” Diana Uchiyama, *Women, the Workforce, and COVID-19*, 109 ILL. B.J. 46 (2021) (Illinois LAP program director discussing impact of women leaving workforce on law)

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Imposter Syndrome and Implicit Bias

- “Indeed, implicit biases have been correlated with imposter syndrome, which is the pattern of behavior in which people suffer from self-doubt and fear being exposed as a fraud. This, in turn, can lead to reduced academic participation and achievement. 53 In one study, women's self-ratings of expected task competence did not at all differ from self-ratings of individuals who had actually received negative feedback about their ability.” Anne D. Gordon, *Better than Our Biases: Using Psychological Research to Inform Our Approach to Inclusive, Effective Feedback*, 27 CLINICAL L. REV. 195 (2021) (footnotes omitted); see also Diana Uchiyama, *Imposter Syndrome: Do You Feel like a Fraud?*, 108 ILL. B.J. 52 (2020).

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Imposter Syndrome and Legal Writing

- “This insidious feeling, conceptualized as “imposter syndrome,” can often cause us to question our arguments, our writing styles, and even our self-worth. And these imposter feelings can frequently manifest in unconfident writing.” Sara L. Ochs, *Embracing Confident Writing*, 85 Bench & Bar 46 (2021)

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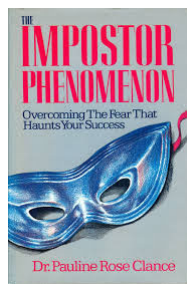
So What Is Imposter Syndrome?

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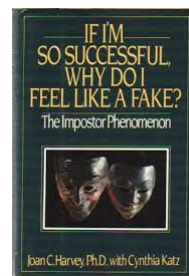
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First Discussions

Term coined by Dr. Pauline Rose Clance and Suzanne Imes (1978)
Clance, P. R., & Imes, S. (1978). *The imposter phenomenon in high achieving women: Dynamics and therapeutic intervention*. *Psychotherapy*, 15(3), 241-247.



1. A belief that one has fooled others into overestimating one's own abilities;
2. Attribution of personal success to factors other than one's ability or intelligence; and
3. Fear of exposure as an imposter.



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Imposter Syndrome Test by Clance

- <http://paulineroseclance.com/pdf/IPTestandscoring.pdf>

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Imposter Syndrome Defined

- Feelings of inadequacy
 - I'm not good enough
- Persist
 - Despite accomplishments/contrary information
- Fear
 - Others will discover you are not good enough

inadequate

adjective

lacking the quality or quantity required;
insufficient for a purpose

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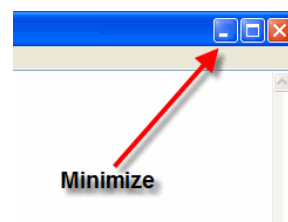
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Dis-ease with Success

- Cognitive distortion
- Belief that you do not deserve success
- Attribute success to external factors
 - Luck
 - Worked harder than others
- Discount success
 - Belittle successes
 - Disbelieve compliments of others

**LUCK
OVER
SKILL**

D I S C O U N T



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Imposter Cycle

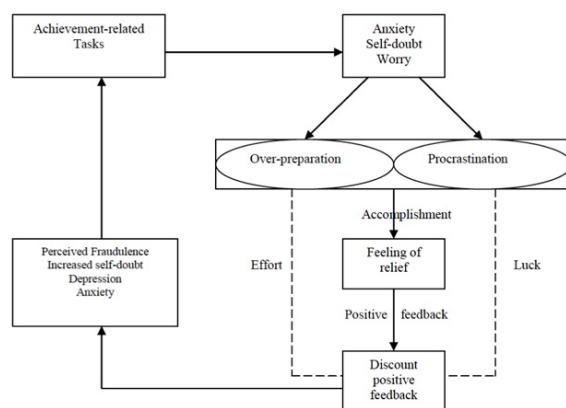


Figure 1. Diagram illustrating the Impostor Cycle based on Clance (1985).
The cycle begins with the assignment of achievement related tasks.

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Model Rule 1.3 Diligence

- “*Client-Lawyer Relationship*”
- A lawyer shall act with reasonable diligence and promptness in representing a client.”

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Model Rule 1.3 Comments - Procrastination

- “3] Perhaps no professional shortcoming is more widely resented than procrastination. A client’s interests often can be adversely affected by the passage of time or the change of conditions; in extreme instances, as when a lawyer overlooks a statute of limitations, the client’s legal position may be destroyed. Even when the client’s interests are not affected in substance, however, unreasonable delay can cause a client needless anxiety and undermine confidence in the lawyer’s trustworthiness. A lawyer’s duty to act with reasonable promptness, however, does not preclude the lawyer from agreeing to a reasonable request for a postponement that will not prejudice the lawyer’s client.”

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Dunning Kruger Effect

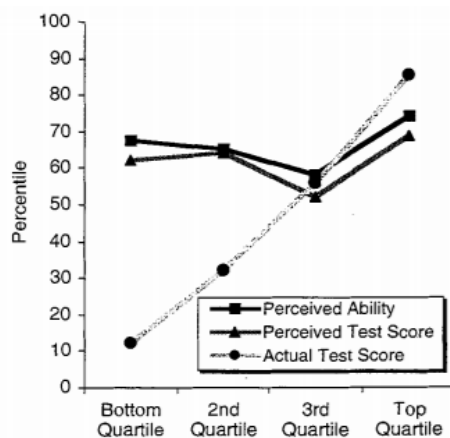


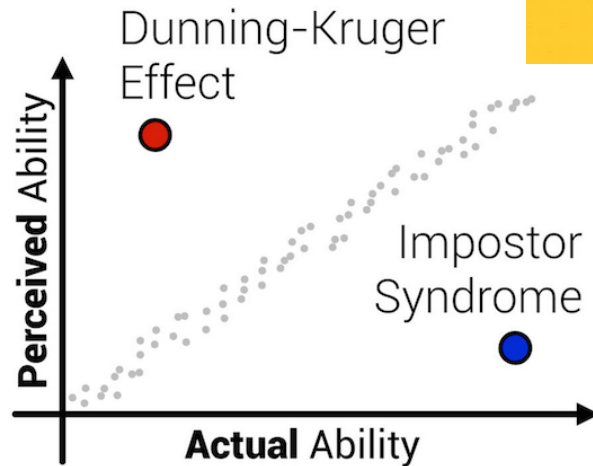
Figure 2. Perceived logical reasoning ability and test performance as a function of actual test performance (Study 2).

Justin Kruger and David Dunning, *Unskilled and Unaware of It: How Difficulties in Recognizing One's Own Incompetence Lead to Inflated Self-Assessments*, Journal of Personality and Social Psychology (1999)

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Cognitive Bias: Dunning Kruger Effect



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Female Executives Reporting Imposter Syndrome

- “75 percent of female executives report having personally experienced Imposter Syndrome at certain point in their career.”
 - Advancing the Future of Women in Business, The 2020 KPMG Women’s Leadership Summit
 - 47% report Imposter Syndrome results “from never expecting to reach the level of success they have achieved.”

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Who Suffers from Imposter Syndrome?

- Little normative data
 - Estimates at 40-70% of population
 - Research in academia, nursing, librarians
- May be more prevalent in creative fields
- Millennials
 - Fixed mindset, higher rates of depression, impact of “compare and despair” social media
- First Generation
 - Sense of belonging
 - Persistence in face of obstacles

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You Have Company

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Sheryl Sandberg

- “There are still days when I wake up feeling like a fraud, not sure I should be where I am.”



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Meryl Streep and Jodie Foster

Meryl Streep

“You think, ‘Why would anyone want to see me again in a movie? And I don’t know how to act anyway, so why am I doing this?’”



3 Oscars; 21 Academy
Award Nominations

Jodie Foster

“When I won the Oscar, I thought it was a fluke. I thought everybody would find out, and they’d take it back. They’d come to my house, knocking on the door, ‘Excuse me, we meant to give that to someone else. That was going to Meryl Streep.’”



Golden Globes Lifetime
Achievement Award

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Maya Angelou – Presidential Medal of Freedom

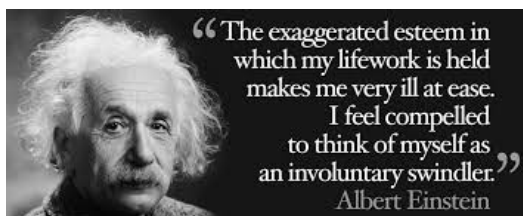
- “I have written eleven books, but each time I think, ‘uh oh, they’re going to find out now. I’ve run a game on everybody, and they’re going to find me out.’”



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Einstein & Hanks



Richard Shotwell/Invision/Associated Press, reprinted NPR April 18, 2020



Ron Frehm, Associated Press, in LA Times

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What “Causes” Imposter Syndrome? or Why Am I Not Good Enough?

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Reflect

- Ask yourself this question:
 - If you experience the “fear” element of imposter syndrome, is it
 - Fear that you are not capable of meeting expectations
 - Fear that others do not believe you are capable of meeting expectations

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Causes

- Low “sense of belonging”
- Societal expectations
- Stereotype threat
- Cognitive distortions

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Sense of Belonging

- Melody Finnemore, *A Sense of Belonging: Attorneys Address Impacts of Imposter Syndrome, Solutions to Combat It*, 82 OR. St. B. BULL. 24 (2021) (advice from various attorneys)

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Women in Academia

WOMEN 02/21/2018 05:25 pm ET | Updated Feb 23, 2018

College's 'Women In Math' Panel Features Only Male Speakers

Who thought this was a good idea?



By Alanna Vagianos

Ever wanted to learn about women in math, but from an entirely male perspective? Then look no further than Brigham Young University.

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Manels

INTEL OCTOBER 5, 2017 / 4:45 PM / 6 MONTHS AGO

All-male panel on feminism comes under fire in Mexico

Sophie Hares

3 MIN READ



<https://www.reuters.com/article/us-mexico-women-debate/all-male-panel-on-feminism-comes-under-fire-in-mexico-idUSKBN1CA2ZV>

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Women in Tech

Women create alternate tech conference, protesting snub at big security confab

Elizabeth Weise, USATODAY Published 1:20 p.m. ET March 5, 2018 | Updated 2:09 p.m. ET March 5, 2018



SAN FRANCISCO — After a furor over the lack of women in the lineup at one of the world's largest computer security conferences, a group of women and their allies has organized an alternate conference to run at the same time and in the same city.

The alternate conference is dubbed "Our Security Advocates Conference," or OURSA, a not-so-subtle dig at RSA. It will be held on April 17 at the San Francisco offices of computer security company Cloudflare, about a mile from the Moscone conference center where RSA is being held.

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Gaslighting

How The Rhetoric of Imposter Syndrome Is Used to Gaslight Women in Tech

The overwhelming focus on imposter syndrome doesn't provide a space to process the power dynamics affecting you; you get gaslighted into thinking it's *you* causing all the problems.

—by Alexis Hancock on April 25th, 2016

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Racelighting

Racelighting: A Prevalent Version of Gaslighting Facing People of Color

By — Frank Harris III, J. Luke Wood, cmaadmin (EDU)

Feb 12, 2021 | Updated Feb 22, 2021

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Societal Expectations

- In one study of hypothetical female and male CEOs who talked more than other people
 - Both men and women viewed her as less competent and less suited to leadership.
 - See Victoria Brescoll, *Who Takes the Floor and Why: Gender, Power, and Volubility in Organizations* (2012)

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Gender Stereotypes in Team Decisions

- Women “less likely to be rewarded for their ideas in male-typed domains when gender is known”
- Coders reading transcripts associated
 - Warmth with women
 - Competence and negativity with men
 - See Katherine B. Coffman, Clio Bryant Flikkema and Olga Shurchkov, *Gender Stereotypes in Deliberation and Team Decisions*, HBS Working Paper (2019) available at <https://www.hbs.edu/faculty/Pages/item.aspx?num=55539>

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Stereotype Threat

- “Internalized oppression”
 - The chameleon effect – individual comes to believe in “truth” of the stereotype

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Imposter Syndrome and Race

- “As an underrepresented group in a predominately white law school, African American students often feel like outsiders and likely suffer from chronic uncertainties about their accomplishments, credentials, and competence.”
 - Cristal E. Jones, *Still Strangers in the Land: Achievement Barriers, Burdens, and Bridges Facing African American Students Within Predominately White Law Schools*, J. Law & Inequality (2021) footnote omitted)

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Stereotype Example

- Including a check box for gender on a math test causes women to perform worse than men
 - Same with race and class
- Interplay re identities
 - Asian American women performed better on a math test primed with ethnic identity question and worse when primed on gender identity
 - See *The Secret Thoughts of Successful Women*

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How We View “Intellectual Ability”

- When participants told job description required intellectual ability:
 - “The odds of referring a woman were 38.3% lower
- “Bias against women and girls in contexts where brilliance is prized emerges early and is a likely obstacle to their success.”
 - See Lin Bian, Sarah-Jane Leslie, Andrewi Cimpian, *Evidence of Bias Against Girls and Women in Contexts That Emphasize Intellectual Ability*, 73 American Psychologist, 1139 (2018)

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Chat Room

- Do the following statements apply to you almost never, sometimes, almost always:
 - I must not make mistakes.
 - I need to 100% certain.
 - I am overly-responsible -- I feel like I am responsible for both the happiness of teammates and the performance of my team.

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Reality of Perfectionism

- “We are all human. However, perfectionism leaves no room to be human. Instead, it leads to procrastination, control, people-pleasing, unrealistic expectations, indecision, self-doubt, feeling stuck, imposter syndrome, all-or-nothing thinking, anxiety, comparison, and stress. Perfectionism keeps you in a constant loop of self-criticism, and this loop keeps you from being present, productive, and fulfilled.”
- Vitale Buford, *Perfectionism: Myth vs. Reality*, 85 BENCH & B. 22 (2021).

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Cognitive Distortion

THINGS YOU BEAT YOURSELF UP FOR:



- STUFF OUT OF YOUR CONTROL
- STUFF EVERYONE HAS LITERALLY ALREADY FORGOTTEN ABOUT
- STUFF NOBODY ELSE EVEN NOTICED

www.angiegreaves.com/imposter-syndrome

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Comparing My Insides to Your Outside

- Duck syndrome



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Compare and Despair

- Imposter syndrome – we focus on what we have ***not*** done as opposed to (a) accomplishments and (b) opportunities for growth
- It leaves us . . .



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Costs Are Real

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Costs

Individuals

- Anxiety and fear – physiology and psychology
- Exhaustion – overwork; procrastination/overwork
- Self
 - High criticism
 - Low self-esteem
 - Low self-compassion

Companies

- Unrealized potential
 - A constant “leak”
- Motivation and engagement
- Creativity
- Collaboration
- Health

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Imposter Syndrome and ADA

- ADA “should provide protections and accommodations for imposter syndrome’s disabling effects to remedy the systemic damages our society created and continues to create.”
 - Julia T. Crawford, *Imposter Syndrome for Women in Male Dominated Careers*, 32 Hastings WOMEN's L.J. 26 (2021).

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Biology – Is It “All in Your Head?”

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Biology of Confidence

- Estrogen
 - Supporting the part of brain involved in social skills
- Testosterone
 - 10 times higher in men
- Serotonin
 - Helps us remain calm; quiets amygdala
 - Women produce 52% less than men (see *The Confidence Code*)

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“Honest Overconfidence”

- Phrase coined at Columbia Business School to describe male overconfidence
 - Math test
 - One year later asked to recall performance

| Women | Men |
|----------------------|----------------------|
| Overestimated by 15% | Overestimated by 30% |

E. Reuben, P. Rey-Biel, P. Sapienza, L. Zingales, *The Emergence of Male Leadership in Competitive Environments*, Journal of Economic Behavior and Organization (2011)

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Selection Bias Based on Candidate Overconfidence

- Groups to select someone to represent them at competition and given differing financial incentives
 - Women and men both lie about performance; increase with financial incentives
 - Men exaggerated performance to greater degree
 - Women selected to represent the group **33% less often than their abilities suggest**

E. Reuben, P. Rey-Biel, P. Sapienza, L. Zingales, *The Emergence of Male Leadership in Competitive Environments*, Journal of Economic Behavior and Organization (2011)

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Chat Room

- What do you think when you hear the following word:

- **Self-promotion**

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What Is “Confidence”? and Why Is It Important?

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Confidence Defined

- “A sense that they can achieve what they set out to do.”
 - *The Confidence Code*, Introduction
- “Confidence is the stuff that turns thoughts into action.”
 - *The Confidence Code*, at 50.

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What You Bring to The Table

- “The better you get at advocating for yourself, the better you will feel and the more opportunities you will gain. Opportunities can take many forms, such as getting to know new people, new ideas, and new places. Be open to deviating from the path you thought you were on in life and pay attention to what’s actually in front of you. Do not self-select out of a chance to apply to study abroad or put yourself forward for a position because you feel what many call imposter syndrome. Owning your accomplishments also means saying, “I know there is something I can bring to the table” in every new venture, even if you don’t know all the details yet.”
- Kori Cooper, *Be Your Own Best Advocate*, 26 Woman Advoc. 5 (2020).

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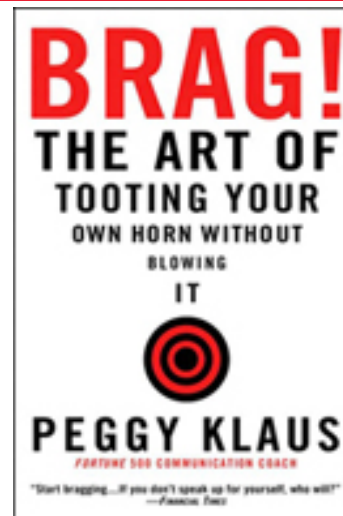
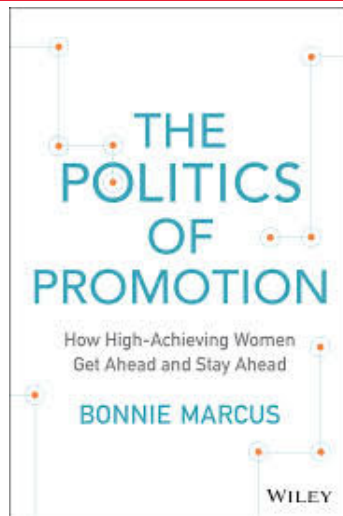
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Communicating – Self Promotion

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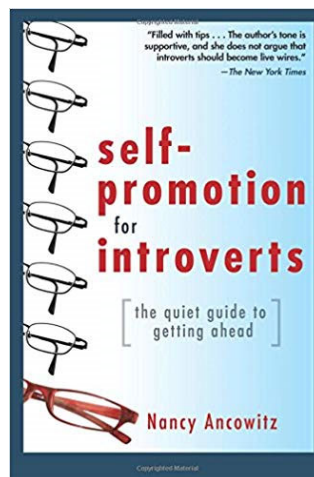
Paradox: Self Promoting or Bragging?



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Promotion Paradox: Introverts



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Self Advocacy

- Mary Smith, Richard Rivera, Lindsay Sestile, Daiquiri Steele, Roula Allouch, David Coale, Marty Truss & Neil Westesen, *Pro Tip: Your Are Your Own Best Advocate*, 26 TYL 6 (2021).

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Self Promotion

- Focus on substance
- Focus on how you promoted/advanced organizational goals

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Communicating Confidence

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Organization of Success

- Start with your punch line
 - Are you reporting conclusions or process?

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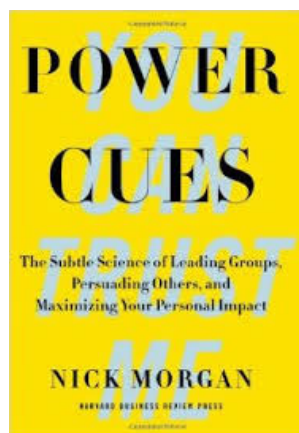
Language of Success ... Be Careful!

- Don't start with "I" (stands for indecisive/downplay)
- Downplay qualifications
- Downplay authority
- Hedge/indirect
- Apologize
 - Gmail has a Plugin called "Just Not Sorry"

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Context – Nonverbal Communication



- How do you “show up”; are you self aware?
- What do you convey through body language?
- What do you perceive in others?

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Speak Up – Group Dynamics

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“Speak Up”

- Penalized for not participating in meetings; often self-inflicted
 - Content
 - Certainty principle
 - Non-assertive, qualified language
 - Context
 - Social time before and after the meeting
 - Sitting at the table
 - Don't take conversations personally

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Develop a Growth Mindset

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Imposter Syndrome and Mindset

- In a study of working adults in UK, Ireland, and US:
 - “The results suggest that people with a fixed mindset tend to experience more impostor phenomenon at work and this relationship is predominantly explained by their fear of failure.”
 - “Further, when employees are also motivated by a performance avoid goal orientation [desires to avoid disproving competence and avoid negative judgments about it], the relationship increases in strength.”
 - Rebecca Noskeau, Angeli Santos and Weiwei Wang, *Connecting the Dots Between Mindset and Impostor Phenomenon, via Fear of Failure and Goal Orientation, in Working Adults*, Frontiers in Psychology (Nov. 16, 2021)

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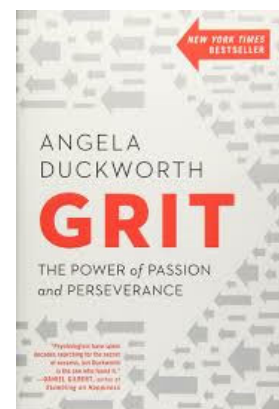
Shift Your Mindset About Goals

- Reframe challenges as learning opportunities
- Understand that interactions are a negotiation that can
 - Align expectations
 - Inform decision-making
 - Bring opportunities and resources

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GRIT/Perseverance



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Other Tips to Own Your Success

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Name That Feeling

- Feeling – not a FACT
- Challenge the imposter thoughts cognitively
 - What is my evidence for that?
 - What would my best friend say about that evidence?
 - What would my mentor or sponsor say about that evidence?

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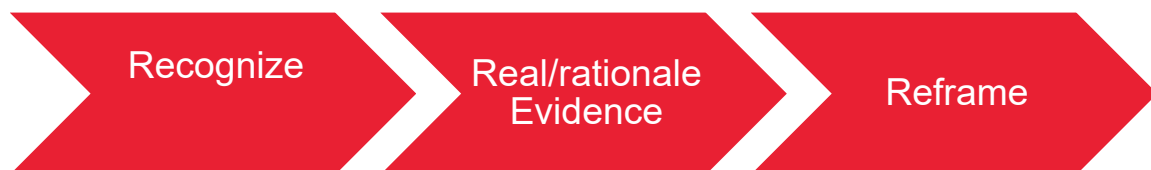
Compare to Where You Started

- Be honest with yourself
 - Where were you when you first started at specific job or task?
 - Compare to where you are now – many hours/years in to your career

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Self-Talk



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Self Talk

- “But this time, I’m learning how to check and actively question my own imposter syndrome. Whenever I feel like I don’t belong or am just not good enough, I take a second to remind myself that I’ve survived every challenge I’ve faced thus far and that I am, indeed, just as worthy of being here as everyone else. Pushing these feelings of inadequacy aside forces me to stop worrying about whether I am capable of doing something and to just do it.” (Kelley rising 3L student)
 - Nicole D. Galli & Kelley Bregenzer, *Effective Women Leaders Can Teach Us about Managing Extreme Adversity*, 26 Woman Advoc. 25 (2020).

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Let Go of “Perfect” Good Enough is . . . Good Enough



Perfectionism
is self-abuse
of the highest
order.



The Perfectionist's Guide to Results

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GET A YET

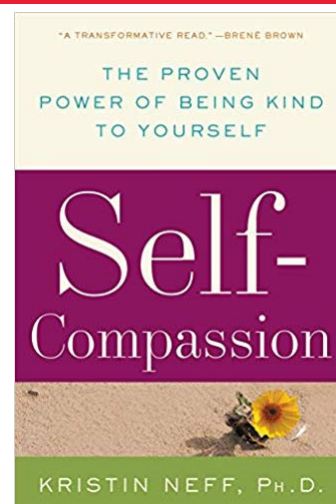
IF YOU ARE TEMPTED TO SAY
"I CAN'T"
HAVE THE COURAGE TO ADD
"YET"

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Self Compassion

- Look at own shortcomings with kindness
 - Without judgment
 - Without disparagement
- Speak to yourself in times of difficulty or stress as you would speak to your best friend or child
 - Acknowledge the difficulty
 - With language that is kind and gentle
 - With encouragement



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Wrap Up

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Takeaways

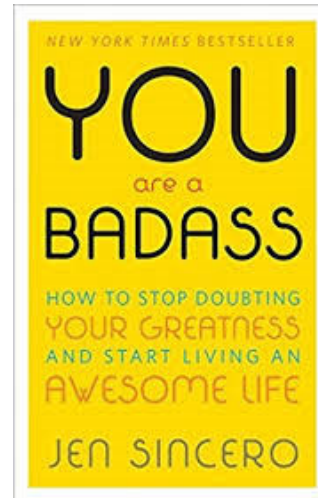
- Choice – you have choice about your present and future
- Commitment – keep working; you have persevered at many difficult things already – and emerged
- Celebrate – your effort, your successes small and big; celebrate those of others
- Community – find those who value you

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Look from Outside In

- “It’s just as easy to believe we’re awesome as it is to believe we’re giant sucking things.”
- “[T]ry seeing yourself through the eyes of someone who admires you. They get it. They believe in you leaps and bounds. They aren’t connected to your insecurities and negative beliefs about yourself. All they see is your true glory and potential.”



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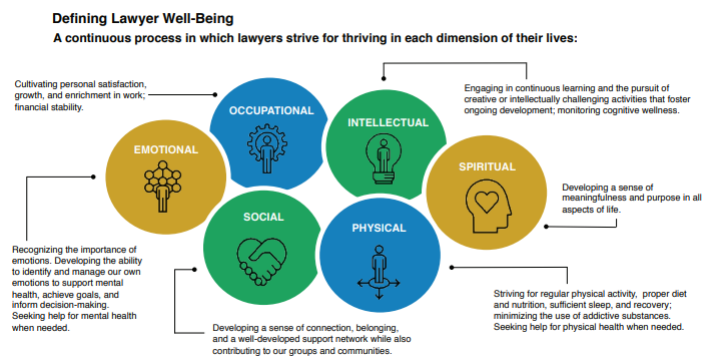
Additional Resources for Attorneys

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ABA National Task Force

- The Path To Lawyer Well-being: Practical Recommendations For Positive Change, The Report Of The National Task Force On Lawyer Well-being



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ABA Well-Being Toolkit

- Worksheets but none focused on cognitive decline
 - https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.pdf

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Resources For Lawyers

- Wellness – General information
 - https://www.americanbar.org/groups/lawyer_assistance/working-group_to_advance_well-being_in_legal_profession/
 - “Toolkits” available for lawyers and employers at same site
- California Lawyers Association
 - Health and Wellness Committee
 - <https://calawyers.org/health-and-wellness/>
- State Bar of California – Lawyer Assistance Program
 - <https://www.calbar.ca.gov/Attorneys/Attorney-Regulation/Lawyer-Assistance-Program>

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Questions?

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Conclusion

These materials are intended as an introduction to the subject matter covered in the presentation. The presentation and the materials contained herein do not attempt to provide legal advice for any particular situation. Each particular situation must be analyzed individually in light of all of the surrounding facts and circumstances. Because of the complexity of the legal issues that will always arise in connection with the subject matter hereof, it is critical that counsel be involved. These materials are provided for educational and discussion purposes *only* and are not to be copied, used or distributed outside of this seminar without the express written consent of Cooley LLP. Copyright Cooley LLP and Michelle Greer Galloway 2022.

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