

Debra Austin, J.D., Ph.D., Professor of the Practice, University of Denver Sturm College of Law  
 Articles: *Positive Legal Education*, *Killing Them Softly*, *Drink Like a Lawyer*, & *Food for Thought* and  
 the Lawyer Well-being Newsletter available at [www.debraaustin.com](http://www.debraaustin.com)

**Positive Legal Education Framework**

- **Engaged Learning** (intrinsic motivation, goal-setting, time management, and meta-cognition),
- **Academic Determination** (strength identification, effort regulation, and environmental mastery),
- **Positive Perspective** (optimism, satisfaction, and well-being),
- **Social Connectedness** (positive relationships), and
- **Diverse Citizenship** (openness, cultural curiosity, respect for multiple perspectives, and desire to contribute to the community).
  - Laurie A. Schreiner, *Positive Psychology and Higher Education*, in *Positive Psychology on the College Campus* 8-11,13 (2015).

**Engaged Learning: Exercise 1 Mindset Assessment**

Place a check in the column that identifies the extent to which you agree or disagree with the statement.

	Strongly Agree	Agree	Disagree	Strongly Disagree
1. Your intelligence is something very basic about you that you can't change very much.				
2. No matter how much intelligence you have, you can always change it quite a bit.				
3. You can always substantially change how intelligent you are.				
4. You are a certain kind of person, and there is not much that can be done to really change that.				
5. You can always change basic things about the kind of person you are.				
6. Music talent can be learned by anyone.				
7. Only a few people will be truly good at sports – you have to be “born with it.”				
8. Math is much easier to learn if you are male or maybe come from a culture who values math.				
9. The harder you work at something, the better you will be at it.				
10. No matter what kind of person you are, you can always change substantially.				
11. Trying new things is stressful for me and I avoid it.				
12. Some people are good and kind, and some are not – it's not often that people change.				
13. I appreciate when parents, coaches, teachers give me feedback about my performance.				
14. I often get angry when I get feedback about my performance.				
15. All human beings without a brain injury or birth defect are capable of the same amount of learning.				

16. You can learn new things, but you can't really change how intelligent you are.				
17. You can do things differently, but the important parts of who you are can't really be changed.				
18. Human beings are basically good, but sometimes make terrible decisions.				
19. An important reason why I do my school work is that I like to learn new things.				
20. Truly smart people do not need to try hard.				

### Mindset Assessment Scoring

Circle the number in the box that matches each answer.

	Strongly Agree	Agree	Disagree	Strongly Disagree
1. ability mindset – fixed	0	1	2	3
2. ability mindset – growth	3	2	1	0
3. ability mindset – growth	3	2	1	0
4. personality/character mindset – fixed	0	1	2	3
5. personality/character mindset – growth	3	2	1	0
6. ability mindset – growth	3	2	1	0
7. ability mindset – fixed	0	1	2	3
8. ability mindset – fixed	0	1	2	3
9. ability mindset – growth	3	2	1	0
10. personality/character mindset – growth	3	2	1	0
11. ability mindset – fixed	0	1	2	3
12. personality/character mindset – fixed	0	1	2	3
13. ability mindset – growth	3	2	1	0
14. ability mindset – fixed	0	1	2	3
15. ability mindset – growth	3	2	1	0
16. ability mindset – fixed	0	1	2	3
17. personality/character mindset – fixed	0	1	2	3
18. personality/character mindset – growth	3	2	1	0
19. ability mindset – growth	3	2	1	0
20. ability mindset – fixed	0	1	2	3
Total Each Column				
Grand Total				

Strong Growth Mindset = 45 – 60 points

Growth Mindset with some Fixed ideas = 34 – 44 points

Fixed Mindset with some Growth ideas = 21 – 33 points

Strong Fixed Mindset = 0 – 20 points

Adapted from: <http://www.classroom20.com/forum/topics/motivating-students-with>

**Academic Determination: Exercise 2 Strength Identification and Application**

- **Watch**
  - Please watch The Science of Character/VIA Institute (8:04) at <https://www.youtube.com/watch?v=BdQRECe37K0&feature=youtu.be>
- **Assess**
  - Please take the Values in Action Character Strengths Survey (15 minutes) at <http://www.viacharacter.org/www/Character-Strengths-Survey>.
- **Reflect: Signature Strengths**
  - Your signature strengths are the qualities that are natural and energizing for you to express. It’s almost like being with an old, trusted friend—you are being authentically *you*. Therefore, it’s no surprise that finding more outlets and experiences to exert those strengths can make you happier. In fact, research studies have found that people who use one of their signature strengths in a new way each day for one week experience increases in happiness for 6 months! Describe one of your signature strengths. In what ways can you leverage this strength?

**Positive Perspective: Exercise 3 Gratitude Practices**

- Cultivate Optimism with Gratitude Practices
  - Martin E. P. Seligman, Flourish: A Visionary New Understanding of Happiness and Well-being (2011)
- Journal or Reflect on
  - Three Things I’m Grateful For
  - What Went Well and Why
- Notice Thin Slices of Joy
- How Can I Enjoy Today?
- Doubling down on Optimism: the mind can’t tell the difference between actual experience and reflection
  - Shawn Achor, The Happiness Advantage (2010)

**Social Connectedness: Exercise 4 Loving-kindness Meditation**

**Read to Enhance Empathy: Everyone is Going Through Something We Can’t See by Kevin Love**

<https://www.theplayertribune.com/en-us/articles/kevin-love-everyone-is-going-through-something>

**Loving-kindness Meditation**

Enhance Empathy & Compassion

Think of Yourself	Think of a Loved One	Think of a Difficult Person	Think of All People or Beings
May I be happy. May I be well. May I be safe. May I be peaceful & at ease.	May you be happy. May you be well. May you be safe. May you be peaceful & at ease.	May you be happy. May you be well. May you be safe. May you be peaceful & at ease.	May you be happy. May you be well. May you be safe. May you be peaceful & at ease.

## **Diverse Citizenship: Teach Leadership Skills in Legal Education**

- Leadership for an Interconnected World
- Socially Intelligent Leadership Model
- Social Aikido

### Leadership for an Interconnected World

- Strengthen Empathy for Marginalized Groups
- Develop an Understanding of Social Causes
  - Reduce bias and discrimination
  - Foster tolerance and understanding
- Appreciate Diversity, Scrutinize
  - Exposure: age, ethnicity, gender, sexual orientation, socioeconomic, religious
  - Cultural Awareness: Of one's own culture, views, assumptions & privileges
  - Perspective-taking: Understanding of experience life from a different perspective
    - Thoughts, feelings, desires, motivations, intentions
- Serve Others
  - Service brings to light stereotypes and significant social and institutional problems
- Amplify Social Justice Orientation
  - Discover Systemic Social Issues
  - Social Change is a Process that Requires Continuous Efforts
  - Inspires Action Plans for Change

### Socially Intelligent Leadership Model

- Social Intelligence, Responsibility, and Cooperation
- Successful Leaders
  - Dynamic, playful, outgoing, energetic, modest, and engaged
  - Possess the ability to understand and advance the goals of the others in the group
  - Negotiate conflicts, enforce group norms, and allocate resources fairly
  - Treat subordinates with respect, share power, generate camaraderie and trust

### Social Aikido: Strategies for Problem-Solving

- Convert enemies into allies and commute hatred into good will
- Change objective from win-lose, zero-sum to win-win
- Shift from adversarial tactics focused on parties and positions to strategies for problem-solving
- Social Aikido Blueprint
  - Foster Relationships
  - Active Non-Judgmental Listening
  - Gratitude for a Willingness to Problem-Solve
  - Acknowledgment that the Problem Impacts All of Us
  - Suggestions as a Starting Point to Working on the Problem

### Resources: Social Aikido in Action

- Video: Heather McGhee, JD, Social Aikido Master, Washington Journal C-SPAN
  - <https://www.youtube.com/watch?v=vYfXP6ceJNc> (4:00)
  - Addresses a Question from a white male who admits being prejudiced against black males about what to do to be a better American
- Video: Pete Davidson Apologizes to Lt. Com. Dan Crenshaw about a joke on Saturday Night Live
  - <https://www.youtube.com/watch?v=GKaakjMVtyE> (4:34)