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**OVERCOMING “STICKINESS”**

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We, as lawyers, have the opportunity to free ourselves from where we may be “stuck” in our lives. For many of us, this arises from how we are functioning in our careers. But our lives can be stuck in other domains. “Stickiness” may arise in a marriage, or in our relationships with our parents or children, or in the absence of meaningful friendships. It may manifest in chronic illness or addictive behaviors. Or, our stickiness may appear across domains where nothing particular is terribly wrong but life simply is not fulfilled.

Or, this may not apply to you. It may be about a loved one, a close friend or colleague. It may be about someone you mentor. If you are in firm management, stickiness may manifest, with changing economic fortunes, throughout your business.

Ultimately, we all wish for productive, fulfilled, connected and happy lives for ourselves, our loved ones and our friends and colleagues. Let’s see if, working together, we can make some progress.

I write this not from the perspective of an “expert.” Rather, I write from the path of a fellow traveler on this extraordinary life journey as a lawyer. I have been a land use and environmental lawyer for 35 years. I also am a certified integral coach, an 18-year cancer survivor and a fifth-year hospice volunteer, working with the dying at San Francisco’s Laguna Honda Hospital.

In his 2002 book “Authentic Happiness,” positive psychologist and University of Pennsylvania professor Martin Seligman devoted an entire discussion to why lawyers are so unhappy. Seligman observed: “By any measure, lawyers embody the paradox of money losing its hold: they are the best-paid profession, and yet they are disproportionately unhappy and unhealthy. And lawyers know it.”

Seligman attributed the demoralization of lawyers to three causes. First, lawyers, are trained pessimists. Seligman noted that while pessimism is maladaptive in most careers, it is not in law: “[S]eeing troubles as pervasive and permanent is a component of what the law profession deems prudence. Unfortunately, though, a trait that makes you good at your profession does not always make you a happy human being.”

Second, Seligman observed most lawyers experience “low decision latitude in high-stress situations.” The number of choices the lawyer has - or believes one has - on the job is severely constrained by his or her position in the firm, the constraints of the client and a limited understanding of the circumstances surrounding the issue. Third, Seligman observed that American law has become increasingly a win-lose game. As such, lawyers have increasingly more negative emotion in their daily lives.

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While Seligman identifies some symptoms of the legal malaise, his analysis does not go far enough. I believe that the “unhappiness dilemma” is created by our inability to shape a functional perspective, allowing us to thrive in the profession despite Seligman’s “causes.”

Such, functional perspectives are both individual and constantly evolving. Business psychologist and psychotherapist Douglas LaBier wrote in the Washington Post: “In the office, [the key to success and well-being] has meant being clear about your goals and working your way up a fairly predictable set of steps ... But, like the stock market, that dependable formula has taken a nosedive.”

Nowhere has a “dependable formula” nosedived more than in the last several months in the legal industry. Suspended summer programs, “deferred” start dates for first years, layoffs and “de-equitizations” of capital partners plague our industry.

LaBier suggests that people look for value in their work, in addition to profiting from it. He suggests that we need to subordinate self-interest and assume qualities such as cooperation and altruism which, in his estimate, have become “both survival skills and keys to competitiveness.” He urges us to become proactive, innovative and creative, and to keep growing and developing within our changing environments. LaBier adds that a psychologically healthy life involves building those qualities into one’s conduct. LaBier concludes that while it is human to have self-serving tendencies, it’s healthy to keep them at bay.

What is one to do with all this advice?

Let’s begin by taking a closer look at how humans operate. Psychologists tell us that by age 6, we generally have developed a “narrative” about our lives. The narrative is a very useful tool. It allows us to interpret information coming to us from the environment, to make assumptions and conclusions about that information in a fairly efficient manner, which leads us to beliefs, followed by actions based on those beliefs. Over the course of our lives, our narrative becomes more elaborate with accumulated life experiences. But its principal structure remains the same. We just interpret, assume, believe and act at more sophisticated levels. It is a largely effective and efficient system.

But there is a downside to our narratives. They can become inflexible or resistant to our inevitably shifting environments. This can lead to actions and outcomes inappropriate for high-level functioning. Evidence of the need to change our narrative often appears when we find ourselves in the same difficult circumstances time and again (the third career change, the second failed marriage ) or in personal crisis (cancer, being laid off). In all such circumstances, we know something is wrong, but don’t know what to do about it.

Chris Argyris, professor emeritus at Harvard Business School, spent his career in the fields of experiential and organizational learning. He developed the ladder of inference, popularized in Peter Senge’s “The Fifth Discipline: The Art and Practice of the Learning Organization.” The ladder explains how we get stuck and what makes it difficult to move on. Step one of the ladder consists of taking in the universe of data and experiences arising from any particular situation. Step two is what we choose to observe from Step one. Inevitably we filter out some things and select other things for observation. Step three is where we attribute meaning to the chosen data, based on our experience. In step four, we draw conclusions from the meaning that we attribute to the data. In step five, we adopt beliefs of the world, based on our step four conclusions. At step six, we take action based on our beliefs.

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The ladder actually is better visualized as a circle. It is in the circle that we begin to see the self-reinforcing nature of the structure. It is our beliefs from past experience that influence the data we select and experiences we pay attention to. And because we pay attention to only those things (often overlooking important new information), we reinforce our meanings, conclusions and beliefs that govern our subsequent actions. If our actions are successful, our beliefs are confirmed. If they are not, we are dumbfounded by the outcome.

Let's take an example. You've been given a plum assignment by your department head, Partner A. You produce what you believe to be a first-class piece of work. When you turn the assignment in, Partner A barely looks up at you and mumbles “thanks.” You don't hear back from him. A couple of weeks pass and you come to the conclusion that A didn't like your work and doesn't like you. You find yourself avoiding A and his office. You shy away from him at social functions. In fact, you change your area of practice in an effort to restart your career. A year later, you decide to tell your new department head, Partner B, about the background of your practice shift. Partner B remarks that she actually heard high praise from A concerning your work. However, at the time, he had been privately preoccupied with a cancer diagnosis affecting his wife. Your narrative failed you. What fear led you to believe that shifting practices would produce a better outcome?

Getting “unstuck” begins with recognizing your situation for what it is - patterned behavior. Then get really curious about it. What awareness can I bring to this issue? Bringing awareness is not a struggle. It is about relaxing to create an opening to see more of your environment and your patterns. Notice what you are paying attention to. Ask a friend or loved one for support. What can you learn from others about your patterns? What might someone be able to tell you about what you are missing? Accept your and others' observations provisionally. Test them out. Observe. Try a new behavior to see what shifts. Stick with it for awhile. Stay curious. Observe. You got where you are over time. There is no quick fix. Notice if your curiosity, awareness and experimentation don't begin to become their own rewards.

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