

Making Positive Changes in the New Year

BY ROBIN OAKS

I'm writing this article a few days after January 1, 2025, and by the time you read this I'm wondering how many of your New Year's resolutions have fizzled out? A New Year's resolution is a goal or promise to make a change in behavior, an environment, or way of relating. It often involves aspiring to make a change because something is negatively affecting one's professional or personal life. The reality is that navigating change, including shifting bad habits to good ones, doesn't always feel easy. I'll share with you some evidence-based strategies that can help.

Some of the behaviors related to our lives that we want to improve might involve those competencies for lawyering well that contribute to well-being, wellness and thriving at work. Competencies integral to our sustainability and success involve professional proficiencies, relationships, organizational environments and culture, and self-skills (physical, cognitive/mental, emotional, and spiritual needs). These competencies involve the vital skill sets that are represented by my **PROS** domains diagram, which reflects a well-being roadmap for fostering thriving as legal practitioners—and in life.

Lawyers are often characterized as risk averse, strong in command-and-control approaches, and eschewing the relevance of emotions, relying more on analysis of information to address problems. We focus on redressing past behaviors and preventing future harm, but rarely are we trained in ways that promote resilience and positive habits for change management and performing at our best. In a study carried out by Dr. Larry Richard, he found that attorneys actually scored lower than the general public in resiliency skills. How might learning about successfully changing our habits affect our resiliency and sustainability as legal practitioners?

Paula Davis-Laack, a former attorney, and founder and CEO of the Stress & Resilience Institute, has studied how positive psychology strategies promote resilience. I met Paula when I asked her to speak to the law students in my Lawyer Well-being and Professional Identity course at the Colleges of Law. I knew her work would underline

what I teach about building mind-body-emotional skills that support academic and professional performance. Paula, who experienced severe burnout herself as a legal practitioner, now holds degrees in positive psychology and provides training in legal, corporate, and military settings about promoting optimal functioning, cognitive fitness, and stress management.



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The titles of her books reflect the importance of learning how to deal with and make positive changes: *Beating Burnout at Work*, *Why Teams Hold the Secret to Well-Being*, and *From Army Strong to Lawyer Strong: What the Legal Profession Can Learn from the Army's Experience Cultivating a Culture of Resilience*. If you look through Paula's other e-book, *Addicted to Busy: Your Blueprint for Burnout Prevention*, I'm betting that what she highlighted about addictive conduct and dysfunctional habits might be just what many of us want to change for our New Year's resolutions. But we need to address not just the what and why—but the how.

Good intentions, strong motivation—even willpower—aren't enough to create new good habits or erase old bad ones. Most individuals, including those in legal cultures, often feel overwhelmed by change. We may unconsciously perpetuate ineffective habitual behaviors or avoid making needed changes completely. This is where behavioral scientists provide useful strategies that can help us consciously design our environments to achieve our goals.

I'll highlight some evidence-based steps that are explained in more depth by the authors of two great books about creating “good” habits: *Tiny Habits: The Small Changes that Change Everything* by BJ Fogg, Founder of Stanford's Behavior Design Lab, and *Atomic Habits: An Easy & Proven Way to Build Good Habits & Break Bad Ones* by James Clear.

The Science Behind Creating Positive Habits

According to James Clear in his book *Atomic Habits*, the basic “laws of behavior change” are: 1) Make it obvious, 2) Make it attractive, 3) Make it easy, and 4) Make it satisfying. BJ Fogg in *Tiny Habits* emphasizes the importance of understanding how our brain, emotions and behaviors work together to form habits. He guides us with the following phrase: “I change best by feeling *good*, not by feeling

bad.” It’s not a lack of willpower that causes many of our resolutions to fail; it’s more often our lack of an effective evidence-based approach. Both Fogg’s and Clear’s books cite extensive research to support the many simple but powerful strategies they present. I highly recommend either of these books to support your change journey.

James Clear states, “A habit must become *established* before it can be improved.” With the clients I coach who seek

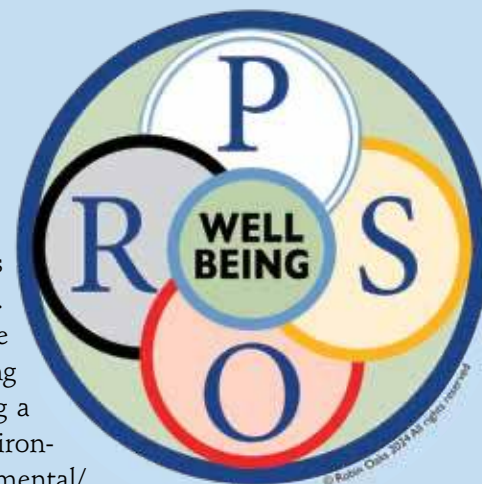
positive changes in their lives, I establish an environment conducive to change through meaningful connection, fostering self-compassion and empathy, and cognitive reframing away from over-focusing on the problem to envisioning future possibilities.

This is why one step that’s effective for habit formation involves visualization and emotional self-regulation practices. Visualization helps the brain imagine a future

The PROS for Creating “Good” Habits

Step One: GOAL

Consider choosing a goal for changing conduct from the domains of well-being competencies reflected by the PROS domains diagram. What change do you *feel* will be beneficial and create hope for future possibilities? Visualize yourself doing the new behaviors and feeling the effects. Consider developing a **P**rofessional proficiency, creating a **R**elationship support connection, addressing your **O**rganizational environment and culture, or learning a new **S**elf skill (physical, emotional, mental/cognitive, spiritual/meaning).



Step Two: TINY STEPS

Brainstorm specific conduct that contributes to your goal, and then identify small actions that directly relate to achieving it. Tiny behavioral steps are obvious, simple, concrete, and can be done in two minutes or less. As you decide what behaviors to do, evaluate the impact of your actions along with the degree of effort involved. For instance, if you want to improve your physical wellness and decide to exercise more, take one tiny step by putting your running shoes next to the door, or walk briskly outside for five minutes immediately after lunch each day. “Tiny is easy, tiny is short. Tiny is a place to *start* building bigger, beneficial habits.”

Step Three: ANCHORS AWAY & PROMPTS

Help anchor your attention for what you want to achieve and what you’re *actually* doing in the present by promoting awareness through linking with other behaviors you do already. If you habitually open the refrigerator door when taking a computer break, then decide that this will be a prompt do five push-ups against the counter. Or, if you aspire to create a consistent gratitude practice that supports your mental health, think of one thing you are grateful for and write it down in a special journal you selected just before you routinely grab your phone in the morning.

Step Four: POSITIVE EMOTIONS, REWARD & CELEBRATE

After doing your tiny step – celebrate what you did AND also what you’re aspiring to do. Remember, success and accomplishment feel *good*, and that’s what creates habits. Even a comment of “good job!” to yourself, or sharing with someone that is a support ally, creates positive feelings of reward and recognition. There are many ways to craft what feels like a celebration for you. At the heart of all meaningful change is cultivating positive feelings in the present and envisioning possibilities for the future.

of possibilities. Nervous system and emotional self-regulation practices harness positive mind-body connections that create the right inner environments (calm, unstressed, receptive) conducive for promoting behavioral change, motivation, and learning.

Consider a change you want to make and put aside one minute each day to *imagine* yourself taking tiny steps towards your intended goals. Be creative and in your mind's eye experience the feelings, sounds, and environmental conditions coming to life as you *imagine* your goals happening. Visualization strategies have been successfully applied in sports, managing phobias, stress reduction, public speaking, business and healthcare - and healing.

Pleasant, enjoyable, and safe feelings allow the brain to create positive connections with what we *want* or *need* to act - and re-act. Making our actions small, obvious steps translates as less stressful and more challenging in a good way instead of conflicting. Achieving something we feel we have the ability to do fuels our reward circuits. Our brain's main function is to be a good prediction machine. Habits

are in part "dopamine driven feedback loops." So, positive emotions create new habits. When you take action that supports your aspiration, find a way to celebrate.

Also, creating prompts in our environment provides a linking mechanism helping us remember what we're doing or want to do – in the NOW. As part of Fogg's Tiny Habits Program, he created a formula that anchors the formation of nearly any habit. To promote what's termed habit stacking we need to link our new tiny habit behavior to something we already do routinely and consistently each day, i.e., "After I ___ [established habit], I will ___ [new habit]."

If you want to stop a bad habit, Fogg's book explores in depth what to do. In essence, it involves several steps to optimize removing, avoiding, or ignoring a cue. When you try to stop a bad habit, you're reverse engineering to make those behaviors less attractive, less available, or more effortful to do. You may need to honestly identify those specific behaviors and associations that contributed to *how* your habitual reaction pattern was created and then re-design specific and simple changes in your environment to alter it accordingly.

So, when creating positive new habits I use the word "SPA" to remember the foundation of what changes behavior in a lasting way: "Small Steps," "Positive Possibilities," and "Anchoring Associations." Like the healing that happens in a spa's mineral waters, these core concepts if applied can help revitalize and bathe you in new neural pathways, creating behavioral changes that are enduring. Use the steps summarized in the practice box reflecting Fogg's and other researchers' strategies for making tiny changes that hopefully will reap big benefits for your professional and personal life. ■

Robin Oaks has been an attorney for nearly four decades, and for twenty-five years has provided legal services focused on independent workplace investigations and mediations. For over two decades she has studied and become certified in a wide range of emotional intelligence, cognitive fitness, and mind-body healing practices especially useful for legal professionals and the stressors they face. She offers MCLE presentations, PROS training programs, witness well-being support, and individualized coaching sessions empowering legal professionals to thrive in livelihood and life. Contact: Robin@RobinOaks.com or 805-685-6773.