



National Association for Public Defense

10 Principles for Creating Sustainability in Public Defense

Introduction

Serving in public defense is an important job with an enormous amount of responsibility. Public defense is a profession that requires teamwork amongst leaders, lawyers, administrative professionals, core staff, administrators, sentencing advocates, mitigation specialists, social workers, investigators, and all other members of the defense team. Working with clients whose lives sit in the balance can be personally and professionally challenging, and that challenge is exacerbated when the systems operate against our clients' liberty interests or separate them from their families. The emotional toll of feeling responsible for system challenges that impact our clients¹ is real and can have a tremendous impact on defense team members, sometimes resulting in compassion fatigue and burnout.²

Organizations that view employees "as an asset to be nurtured and developed" are more likely to have employees that feel valued.³ The primary reason for creating a work environment that fosters the overall well-being of public defenders and team members is to better serve clients.⁴ In light of the historical and present day inequities in the system, anything less than high level representation can hurt clients and their families. High level defense of clients requires complex, creative thinking, intense focus, emotional regulation, and perspective taking, all of which suffer if well-being is compromised.⁵ Studies show that employees who feel emotionally supported are more effective, more satisfied in the workplace, more likely to stay engaged at the office and in the work, and are in a better position to consistently fulfill the mission of the office.⁶ On the other hand, employees who are not emotionally supported are more likely to experience stress, vicarious trauma, moral injury, and burnout.⁷

Admittedly, there is a dynamic tension between what public defenders need to support their own well-being and the effort required to provide optimal defense for clients.⁸ Sometimes, individual defense team members will be less focused on their own well-being in favor of client needs. Other times, individuals may be more focused on their own well-being, potentially at the expense of client interests. A team that aligns with values of well-being will better adapt to and balance such episodic strains.⁹ It is important to hold equally, without judgment, both sides of the dialectic that defenders are doing their best to navigate competing demands at any given moment, but that they also have the capacity to do better.

Public defenders need to start from a strong base of overall wellness to best represent their clients under what are frequently challenging circumstances.¹⁰ Employee wellness is multi-layered, and best practices toward sustainability can be woven into organization operations, policies, procedures, training, supervision, atmosphere, and interpersonal interactions.

The end goal is to increase not only individual resilience, but community resilience of the office, which creates sustainability.¹¹ When individual well-being is addressed, we can better support the well-being of our colleagues and teams. Only then can we become a community that is adaptable and sustainable and that provides the level of representation our clients deserve.

Definitions

Culture: The “character and personality of your organization...the sum of its values, traditions, beliefs, interactions, behaviors, and attitudes.”¹²

Health: “A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.”¹³

Healthy Office Culture: “A healthy workplace is one in which all organizational members collaborate to continually improve processes to protect and promote member well-being and organizational success. All seek alignment of organizational and member goals and needs so that they can grow and thrive together.”¹⁴

Moral Injury: “Moral injury is the damage done to one’s conscience or moral compass when that person perpetrates, witnesses, or fails to prevent acts that transgress one’s own moral beliefs, values, or ethical codes of conduct.”¹⁵

Public Defender Team: All staff at a public defender office.

Self-Care: "Self-care is a broad term that encompasses just about anything you do to be good to yourself. In a nutshell, it's about being as kind to yourself as you would be to others. It's partly about knowing when your resources are running low, and stepping back to replenish them rather than letting them all drain away."¹⁶

Sustainability: "[O]rganizations cannot be sustainable without protecting the safety, health, and welfare of their most vital resource: workers. Sustainability is not just about what is done, but how it gets done. It is a mindset that requires leadership; not settling for second best in any aspect of operations; setting and achieving goals beyond regulatory compliance."¹⁷

Wellness: "Wellness is an active process through which people become aware of, and make choices toward, a more successful existence."¹⁸

Well-being: "[A] continuous process whereby [individuals] seek to thrive in each of the following areas: emotional health, occupational pursuits, creative or intellectual endeavors, sense of spirituality or greater purpose in life, physical health, and social connections with others."¹⁹ Well-being includes our individual health, happiness, and quality of life. In a public defender office, this extends to the collective health, happiness, and quality of life in our organization.

Principles

Principle 1: Clients are best served by interdisciplinary teams that strive for well-being.

High level representation and effective team competency and contribution require clarity of thinking, the ability for rational choice-making, and the ability to retain and marshal information necessary for a client's defense. This level of competence is less attainable when a team member is unwell, whether physically, socially, emotionally or spiritually.²⁰ In the same way one would not conduct a court hearing or client interview or case investigation when sick with the flu or inebriated, it is best to also ensure our psychological wellness is not similarly diminished and negatively impacting competent representation.²¹

A best practice to ensure this Principle and the Model Rules of Professional Conduct are met, is to follow the Principles of this document.

Principle 2: Sustainability of the public defender office is a goal all staff actively strive toward.

The sustainability of an office is a collective responsibility of all those in an organization.²² A public defender office cannot be sustainable if staff members are not well.²³ Empowering and engaging staff in creating a healthy environment that prioritizes wellness through building community, effective communication, transparency and space for dialogue and well-being is the goal of sustainability efforts. Those goals can best be met through the participation of all staff.

Principle 3: Leadership and supervisors model wellness and set standards for sustainability.

Agency leadership and supervisors have a responsibility to create and model a culture of wellness.²⁴ They promote and integrate wellness discussions and considerations into recruiting, on-boarding, and continuing education and training. Self-care and wellness practices for all staff are normalized as routine actions to promote well-being.²⁵ Expected activities necessary to maintain resilient workplaces and workforces include, but are not necessarily limited to, the use of personal, vacation, sick, family, parental leave, employee assistance programs and other wellness options, without judgment. Performance evaluations seek to identify and address barriers staff experience in implementing wellness practices.²⁶ Barriers to seeking help are removed and destigmatized.²⁷ Leadership and supervisors recognize that wellness practices are flexible and that individuals may approach wellness practices differently.

Principle 4: Staff promote workplace values that align with a healthy work culture.

A healthy office culture depends on individual alignment with the stated purpose, mission, and values of the organization. Office leadership, with input from staff, establish intrinsic workplace values, with a goal of creating a healthy work culture and sense of belonging on staff.²⁸ Behaviors detrimental to the agreed upon values of the organization are actively and timely addressed and discouraged.²⁹

Leadership foster a team-oriented environment where staff share responsibilities within the office. Leadership encourage constructive feedback and welcome difficult conversations about inclusion, well-being, and operations that are necessary to maintain the values of the organization.

Principle 5: Leadership and staff actively seek to uphold principles of equity and inclusion while striving to create a welcoming environment for all.

Representation matters, and true representation is by equity and inclusion of a diverse workforce. A best practice for ensuring this is the creation of diversity, equity, and inclusion (DEI) initiatives in offices that do not yet have them, and full support of existing DEI initiatives.³⁰ DEI initiatives exist to encourage difficult conversations, educate staff, and combat racism and trauma.³¹

Principle 6: The office normalizes and prepares for workplace absences.

Employees need time off.³² They may need to address their own health, care for a family member, take a well-earned break from work, or adjust their schedule to accommodate a change in life circumstance.³³ A workload recess leave policy would facilitate unpaid leaves of absence, sick leave or family and medical leave, paid time off (vacation), flexible time off, and flexible work assignments.³⁴ The policy and procedures will depend on many factors, including office size, budget, and structure, but will ensure all employees are eligible to request a recess and that the office has a clear procedure for assigning coverage to ensure no interruption of legal services for clients and no unnecessary strain on other staff.

Principle 7: The office creates time and space for individuals to reflect on positive and negative work experiences in a supportive environment.

Staff is given time and space for work-related debriefing with colleagues, which may be built into standard meetings.³⁵ The office nurtures a culture of affirmation and celebrates the client-centered successes of colleagues. The definition of success within an office is defined more broadly than a “legal win,” and includes more nuanced victories toward justice.

People are encouraged to have and share the feelings they are having, no matter what they are. Healthy conflicts and timely crucial conversations amongst staff is normalized. Grieving, sadness, and feelings of loss related to working in the fight for justice is normalized. Staff is educated about diversity of experiences related to coping with loss. Supervisors are trained to identify signs of burnout, moral injury, and secondary trauma.

When an employee suffers a traumatic work or personal event, supervisors perform meaningful check-ins with that employee.³⁶ Leadership and supervisors support taking time off after significant work events if needed. Leadership and supervisors raise awareness and promote employee assistance programs and make efforts to normalize

requests for help. Leadership and supervisors provide timely, meaningful, and consistent feedback on work performance, which has been shown to increase well-being.³⁷

Principle 8: The physical atmosphere of the workplace is designed with wellness in mind.

The built environment influences wellness and job performance.³⁸ While a purpose-built office is often not an option, intentional use of space and design elements (i.e., how public and private areas interact, lighting, windows, acoustics, temperature, etc.) can have a significant impact on occupants' well-being and productivity.³⁹ Both staff and clients benefit from spaces designed with the mission and values of the office in mind and that reinforce self-care and wellness.

Attending to the aspects of the office that maximize occupant wellness can also impact inclusivity and productivity goals.⁴⁰ Considerations for organizations designing or reworking their space to improve wellness might include, but are not limited to, the following:

- Ventilation and allergen mitigation to accommodate employees with service animals
- Wall color
- Lighting color (yellow- vs. blue-toned), source (overhead and eye level)⁴¹
- Noise mitigation, to the extent possible⁴²
- A quiet area or Wellness Room that offers a restful place to address stressors
- A Mother's Room properly equipped with a refrigerator and sink so breastfeeding mothers have privacy and their basic needs met
- Space for staff to highlight milestones, accomplishments, reflections and to recognize their colleagues' contributions, with consideration given to maintaining client boundaries

Principle 9: Training programs regularly encompass a sustainability component.

Where feasible, agencies provide opportunities and consistent invitations for staff to participate in well-being and self-care training.⁴³ Training Directors establish orientation practices that set new staff up for success, engagement, and well-being. Mentorship is a way to ensure employee well-being is being monitored.⁴⁴ Self-care and wellness are principles incorporated into all training programs. Training programs model self-care by providing regular breaks and offering time for reflection.

All staff are trained annually around communication and interpersonal health, teamwork, compassion fatigue/moral injury, and creating self-care/wellness culture.

Principle 10: Leadership creates clear policies and expectations that properly balance the health and well-being of staff with the interests of clients.

There are times when the interests of clients and the interests of staff may not align. Leadership seeks input from staff when creating policies or guidelines to address this tension and provides transparency in decision-making. Leadership ensures staff are clearly and timely made aware of expectations, even during extreme or changing circumstances. Office internal operating procedures and policies leave little room for ambiguity in terms of job duties, roles, best practices, and expectations. New office policies are developed and adopted only after staff has a meaningful opportunity to provide input. Disagreements over policies and expectations are addressed timely by leadership and supervisors.

Leadership proactively engages with outside stakeholders in order to advance the office's missions and values. Within the system, leadership consistently prioritizes the commitment to clients over efficient, cost-effective, or convenient practices for courts or corrections.

References

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² *The Toll of Trauma*. Wisconsin Lawyer. (2011). ("[T]he extent of caseload and lawyers' exposure to other people's trauma were clearly related to symptoms of compassion fatigue.") Located at: <https://www.wisbar.org/newspublications/wisconsinlawyer/pages/article.aspx?volume=84&issue=12&articleid=2356>. (Hereafter *Toll of Trauma*.)

³ Kossek, Ellen & Kalliath, Thomas & Kalliath, Parveen. *Achieving Employee Wellbeing in a Changing Work Environment*. International Journal of Management, Vol. 33, No. 7, pp. 741-72. (2012). (Hereafter *Achieving Employee Wellbeing*.)

⁴ *National Task Force on Lawyer Well-Being: Creating a Movement to Improve Well-Being in the Legal Profession*. American Bar Association, p. 8. (2017). ("If cognitive functioning is impaired . . . legal professionals will be unable to do their best work." Located at: <https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>. (Hereafter *ABA National Task Force*.)

⁵ Bryson, Alex & Forth, John & Stokes, Lucy. *Does Worker Wellbeing Affect Workplace Performance*, Department for Business Innovation & Skills, p. 54. (2014). ("In relation to cognitive processes, it has been shown that higher [subjective wellbeing] is associated with increased levels of creativity and problem-solving.") Located at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/366637/bis-14-1120-does-worker-wellbeing-affect-workplace-performance-final.pdf. (Hereafter *Workplace Performance*.); *ABA National Task Force*, pp. 32-33. ("Social support from colleagues is an important factor for coping with stress and preventing negative consequences like burnout." Citing C. Maslach, W. B. Schaufeli, & M. P. Leiter, Job Burnout, 52 ANN. REV. OF PSYCHOL. 397, 415 (2001); T. A. Judge & R. Klinger, Promote Job Satisfaction through Mental Challenge, in HANDBOOK OF PRINCIPLES OF ORGANIZATIONAL BEHAV. (E. A. Locke ed., 2009))

⁶ *Workplace Performance*, p. 71. ("Employee job satisfaction was found to be positively associated with workplace financial performance, labour productivity and the quality of output and service.").

⁷ *Toll of Trauma*, (“Lawyers need to know that what they’re feeling is real . . . and that it’s something they can discuss – that they don’t have to feel embarrassed or ashamed for feeling this way. That’s a step in the right direction.”)

⁸ Bacak, Valerio & Lageson, Sarah E. & Powell, Kathleen. *The Stress of Injustice: Public Defenders and the Frontline of American Inequality*, p. 16 (2020). (“Working within these structural constraints makes public defenders highly vulnerable to chronic stress and can have profound implications for their ability to safeguard the rights of poor defendants.”) (Hereafter *The Stress of Injustice*.)

⁹ Primus, Eve Brensike, *Culture as a Structural Problem*, University of Minnesota Law Review, Vol. 100, 5, p. 1781. (2016). “If we can improve some of the structures, we can improve some of the culture, thus raising the proportion of criminal defenders who defy the difficulty of their role and succeed in delivering zealous, client-centered advocacy.” (Hereafter *Culture as a Structural Problem*.)

¹⁰ *The Stress of Injustice*, p. 16. (“Increasingly limited resources within a constantly expanding penal system also creates structural stress, most often manifested in public defender caseloads. With the exception of some appellate and capital defense attorneys, the relentless stream of cases and the little time that the sheer volume leaves for investigation, consultation with clients, and trial preparation created significant stress for our participants. Chronic underfunding was reflected in the insufficient numbers of attorneys in the office, high office turnover, relatively low salaries, and simply making ends meet.”)

¹¹ *What is Community Resilience, and Why Does It Matter?*, Institute for Sustainable Communities. (2015). (A major challenge to our work, however, is that the community-based organizations who represent the most vulnerable and disadvantaged populations often do not have a seat at the decision-making table. Yet these organizations maintain critical social networks which help bring the whole community together. Resilient communities make sure the table is big enough to ensure all key groups are represented.”) Located at: <https://sustain.org/what-is-community-resilience-and-why-does-it-matter/>; *Six Foundations for Community Resilience*. (“Truly robust community resilience . . . should engage and benefit all community members, and consider all the challenges the community faces—from rising sea levels to a lack of living wage jobs. And it should be grounded in resilience science, which tells us how complex systems—like human communities—can adapt and persist through changing circumstances.”) Located at: <https://www.resilience.org/six-foundations-for-community-resilience/>.

¹² *Workplace Culture: What It Is, Why It Matters, and How to Define It*, Employers Resource Council (ERC). Located at: <https://www.yourerc.com/blog/post/Workplace-Culture-What-it-Is-Why-it-Matters-How-to-Define-It>.

¹³ World Health Organization. Located at: <https://www.publichealth.com.ng/world-health-organizationwho-definition-of-health/>.

¹⁴ *Well-Being Toolkit for Lawyers & Legal Employers*, American Bar Association, p. 8. (2018). Located at: <https://lawyerwellbeing.net/wp-content/uploads/2020/02/Toolkit-Full-Final-July-30-2018.pdf>. (Hereafter *Well-Being Toolkit*.)

¹⁵ *What is Moral Injury*, Syracuse University | The Moral Injury Project, located at: <https://moralinjuryproject.syr.edu/about-moral-injury/>

¹⁶ What is Self-Care and Why is Self-Care Important? Located at: <https://www.thelawofattraction.com/self-care-tips/>.

¹⁷ *Sustainability in the Workplace*, United States Department of Labor. Located at: <https://www.osha.gov/sustainability/>.

¹⁸ *The Six Dimensions of Wellness*, National Wellness Institute. Located at: <https://nationalwellness.org/resources/six-dimensions-of-wellness/>.

¹⁹ *ABA National Task Force*, p. 9.

²⁰ *ABA National Task Force*, p. 8. ("Troubled lawyers can struggle with even minimum competence.")

²¹ *ABA National Task Force*, p. 9. "Lawyer well-being is part of a lawyer's ethical duty of competence." Model Rules of Professional Conduct are instructive: "Rule 1.1 of the ABA's Model Rules of Professional Conduct requires lawyers to 'provide competent representation.' Rule 1.3 requires diligence in client representation, and Rules 4.1 through 4.4 regulate working with people other than clients. Minimum competence is critical to protecting clients and allows lawyers to avoid discipline. Yet this does not allow for realization of the aspirational goal articulated in the Preamble to the ABA's Model Rules of Professional Conduct, which calls lawyers to 'strive to attain the highest level of skill, to improve the law and the legal profession and to exemplify the legal profession's ideals of public service.'" *ABA National Task Force*, p. 8.

²² *ABA Well-Being Toolkit*, p. 8 (“A healthy workplace is one in which all organizational members collaborate to continually improve processes to protect and promote member well-being and organizational success.”)

²³ *Toxic Workplaces & Employee Wellness Go Hand in Hand*. (2020). (“An organization is only as healthy as its employees.”) Located at: https://blog.rewardian.com/toxic-workplaces-employee-wellness-go-hand-in-hand?hs_amp=true

²⁴ *ABA National Task Force*, pp. 12-13, (“Broad-scale change requires buy-in and role modeling from top leadership.” citing E. Schein, *Organizational Culture and Leadership* (2010); R. R. Sims & J. Brinkmann, *Leaders As Moral Role Models*, 35 *J. BUS. ETHICS* 327 (2002)).

²⁵ *ABA National Task Force*, p. 32. (“Therefore, we recommend that legal employers monitor for work addiction and avoid rewarding extreme behaviors that can ultimately harm their health. Legal employers should expressly encourage lawyers to make time to care for themselves and attend to other personal obligations.”)

²⁶ *Achieving Employee Wellbeing*, p. 742. (“Employee and organizational well-being and performance are part of a dual agenda where interests between workers and the company are seen as complimentary.”)

²⁷ *ABA Well-Being Toolkit*, pp. 18-20; *ABA National Task Force*, p. 13. (“All stakeholders must take steps to minimize the stigma of mental health and substance use disorders because the stigma prevents lawyers from seeking help.” Referencing studies by: T. W. Britt, T. M. Greene-Shortridge, S. Brink, Q. B. Nguyen, J. Rath, A. L. Cox, C. W. Hoge, C. A. Castro, *Perceived Stigma and Barriers to Care for Psychological Treatment: Implications for Reactions to Stressors in Different Contexts*, 27 *J. SOC. & CLINICAL PSYCHOL.* 317 (2008); S. Ey, K. R. Henning, & D. L. Shaw, *Attitudes and Factors Related to Seeking Mental Health Treatment among Medical and Dental Students*, 14 *J. C. STUDENT PSYCHOTHERAPY* 23 (2000); S. E. Hanisch, C. D. Twomey, A. H. Szeto, U. W. Birner, D. Nowak, & C. Sabariego, *The Effectiveness of Interventions Targeting the Stigma of Mental Illness at the Workplace: A Systematic Review*, 16 *BMC PSYCHIATRY* 1 (2016); K. S. Jennings, J. H. Cheung, T. W. Britt, K. N. Goguen, S. M. Jeffirs, A. L. Peasley, & A. C. Lee, *How Are Perceived Stigma, Self-Stigma, and Self-Reliance Related to Treatment-Seeking? A Three-Path Model*, 38 *PSYCHIATRIC REHABILITATION J.* 109 (2015); N. G. Wade, D. L. Vogel, P. Armistead-Jehle, S. S. Meit, P. J. Heath, H. A. Strass, *Modeling Stigma, Help-Seeking Attitudes, and Intentions to Seek Behavioral Healthcare in a Clinical Military Sample*, 38 *PSYCHIATRIC REHABILITATION J.* 135 (2015).)

²⁸ *ABA National Task Force*, pp. 34. ("Consequently, we recommend that legal employers evaluate what they prioritize and value, and how those values are communicated. When organizational values evoke a sense of belonging and pride, work is experienced as more meaningful." Citing A. Hansen, Z. Byrne, & C. Kiersch, *How Interpersonal Leadership Relates to Employee Engagement*, 29 J. MANAGERIAL PSYCHOL. 953 (2014)

²⁹ *ABA National Task Force*, p. 34. ("To achieve change, legal employers will need to set standards, align incentives, and give feedback about progress on lawyer well-being topics." Citing R. A. NOE, *EMPLOYEE TRAINING AND DEVELOPMENT* (McGraw-Hill 2013).)

³⁰ *ABA National Task Force*, pp. 16. ("Regulators and bar associations can play an especially influential role in advocating for initiatives in the profession as a whole and educating on why those initiatives are important to individual and institutional well-being." Referencing C. U. Stacy, *Trends and Innovations Boosting Diversity in the Law and Beyond*, L. PRAC. TODAY, March 14, 2016, available at <http://www.lawpracticetoday.org/article/trends-and-innovations-boosting-diversity-in-the-law-and-beyond>; IL. SUP. CT. COMM'N ON PROFESSIONALISM, DIVERSITY & INCLUSION TOOLKIT, <https://www.2civility.org/programs/cle/cle-resources/diversity-inclusion>.)

³¹ *Encouraging Meaningful Conversations about Race and Trauma*. (2019). ("To begin to unravel the harm of racism—the historical trauma, the microaggressions, the white fragility that often is a barrier to conversation—people need to have a level of self-awareness, to be able to sit, without judgment, with what is uncomfortable, to be present and aware, and to hold this inquiry with curiosity and kindness.") Located at: <https://www.mindful.org/encouraging-meaningful-conversations-about-race-and-trauma/>.

³² *ABA Well-Being Toolkit*, p. 13. ("In their study of 6,000 practicing lawyers, law professor Larry Krieger and psychology professor Kennon Sheldon found that the number of vacation days taken was a significant predictor of lawyer well-being--and was stronger even than income level in predicting well-being." citing L. Krieger & K. Sheldon, *What Makes Lawyers Happy? A Data-Driven Prescription to Redefine Professional Success* (2015).)

³³ *ABA National Task Force*, p. 20. ("Research confirms that environments that facilitate control and autonomy contribute to optimal functioning and well-being.")

³⁴ *ABA Well-Being Toolkit*, p. 9. ("There is recognition of the need for balance between the demands of work, family, and personal life.")

³⁵ *Culture as a Structural Problem*, p. 1792. ("In addition not the emotional support and motivation that a group structure provides, defenders also benefit from working together in communities because their ability to learn from one another and pool their combined intellectual resources raises the level of representation that each of them is able to provide.")

³⁶ *Achieving Employee Wellbeing*, p. 742. ("In fact a recent study reported in the *New York Times* (Amible and Kramer, 2011) suggests that employees perform better when they are positively psychologically engaged at work. Amible and Kramer argue that managers must be facilitators of employees' work by helping eliminate barriers, offering support, and assistance and recognizing high level effort.")

³⁷ *Workplace Performance*, p. 38. ("Environmental clarity also comprises the availability of feedback on performance. This can be in the form of performance appraisal, which can act to improve [subjective wellbeing] by enabling employees to be more effective in their work and providing a form of recognition.")

³⁸ Kamarulzaman, N & Saleh A.A. & Hashim, S.Z. & Hashim H. & Abdul-Ghani, A.A. *An Overview of the Influence of Physical Office Environments Towards Employee*. *Procedia Engineering*, Vol 20, pp. 266. (2011). ("From the literature reviews, it is very clear that indoor environments in an office has a great influence on employees' attitudes, behaviours, satisfaction and works performance.") Located at <https://doi.org/10.1016/j.proeng.2011.11.164>. (Hereafter *Physical Office Environments*.); See also *NAPD Policy Statement on Proper Professional Space, Equipment, Confidential Communications with Clients, Supporting Services for Public Defense*. (2020).

³⁹ *Physical Office Environments*, p. 266. ("Therefore, it can be concluded that not only temperature, water quality, lighting and noise should be taken into consideration, but also the indoor air quality, thermal comfort, layout of individual workspaces, workplace colour schemes, interior plants, dust levels and biological contaminants, indoor carbon dioxide concentration and many other factors should be considered by the top management of organizations.")

⁴⁰ *Workplace Matters*. U.S. General Services Administration, p. 3. (2006). ("The link between physical infrastructure and organizational performance is real. A well-designed workplace offers great potential to improve organizational performance and realize financial return far greater than the initial investment.")

⁴¹ Han, Seulki, PhD, PT & Lee, Daehee, PhD, PT. *The Effects of Treatment Room Lighting Color on Time Perception and Emotion*. Journal of Physical Therapy Science, Vol. 29, 7, pp. 1248. (2017). ("However, the mood states of depression-dejection, anger-hostility, and confusion-bewilderment were significantly different according to light colors, with higher scores for blue and red lights compared to yellow light.")

⁴² Münzel, Thomas et al. *The Adverse Effects of Environmental Noise Exposure on Oxidative Stress and Cardiovascular Risk*. Antioxidants & Redox Signaling. Vol. 28, 9, pp. 873-908. (2018).

⁴³ *Kirkland & Ellis Starts New Firmwide Wellness Program*. (2019). Located at: https://news.bloomberglaw.com/daily-labor-report/kirkland-ellis-starts-new-firmwide-wellness-program?utm_source=rss&utm_medium=DLNW&utm_campaign=0000016b-0421-dbad-a36b-4f27a3f30002; N. Rodriguez, *What the Army Can Teach BigLaw about Bouncing Back*, LAW360. (2017). (Identifying Goodwin Procter LLP, O'Melveny & Myers LLP, Morgan Lewis & Bockius LLP, Fish & Richardson PC, Drinker Biddle & Reath LLP, Quarles & Brady LLP, and Neal Gerber & Eisenberg LLP as having hosted resilience workshops). Located at: <https://www.law360.com/articles/891995/what-the-army-can-teach-biglaw-about-bouncing-back>.

⁴⁴ *ABA National Task Force*, p. 16. ("Research has shown that mentorship and sponsorship can aid wellbeing and career progression for women and diverse professionals.")