

# **Closing Argument**

### **Counsel for Wellness**

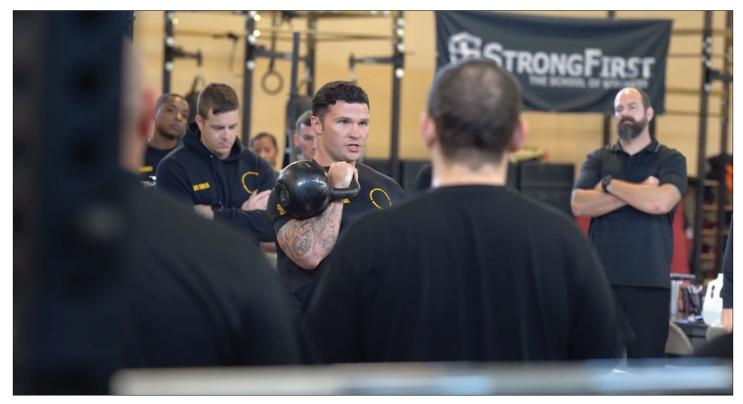
A Strategic Imperative for Reservists

By Colonel William D. Ward

At any one time, the Army has employed the equivalent of thirteen brigade combat teams of non-deployable Soldiers.<sup>1</sup> In 2016, I became part of a significant cohort of this group as a Soldier with a preventable musculoskeletal injury.<sup>2</sup> It was 0645 on Monday, 17 February 2016, at Schofield Barracks when I fell while running. I lay on the ground, bewildered, unable to feel my right foot. As a young major, I believed I could muscle my way through any challenge. But that morning, I had fallen hard, my toes were numb, and my back throbbed relentlessly. Mind racing, I could not figure out what had happened or how I had injured myself. I limped back to Brigade Headquarters, seeking medical attention at the clinic. Within forty-eight hours, my situation escalated to requiring emergency back surgery. U.S. Army Reserve Soldiers assigned to the 81st Readiness Division and 4th Battalion Army Reserve Careers Group complete a fitness challenge organized by the Army Reserve H2F team and the 81st Readiness Division at Fort Jackson, SC. (Credit: SFC Crystal Harlow)

During recovery, I discovered that a few days prior to my fall, during a half marathon trail race in the Oahu mountains. I had torn a disc in my lower back. The inflammation had pinched the nerves in my foot. I would later learn that stretching better and engaging in specific core exercises could have prevented this injury. But I was still very lucky. Because I fell so close to the time of my initial injury, I found the time to go to the clinic that same morning, and, with many thanks to an exceptional brigade surgeon and the Tripler Medical Center team, I was able to fully recover and return to duty. Many Soldiers are not so fortunate. My injury opened my eyes to the importance of fostering both physical and mental health across our enterprise.

My hope is that this article will serve as a call to action for Judge Advocate General's (JAG) Corps leaders, specifically those in the Reserve component (RC) (the Army



U.S. Army Reserve Soldiers receive training during the inaugural Holistic Health and Fitness Summit held at the 81st Readiness Division's headquarters in Fort Jackson, SC. (Credit: SFC Crystal Harlow)

Reserve and National Guard), to counsel our Soldiers and make their holistic health our priority—to help them make better choices and avoid my mistakes and the mistakes of so many others. Aiding in this effort, the Chief of the Army Reserve knows that the Holistic Health and Fitness (H2F) program is crucial to Soldier readiness; a robust program to support the priority is coming to the RC. But full implementation of this initiative will take years, and this is not a priority that can wait. Therefore, leaders must take the first step by integrating holistic health into their routine counseling and engagements with our people now.

#### Strategic Environment: Why Reserve H2F Matters

"Lawyers in the Army Reserve were to become the muscle of Corps strength in the several great mobilizations of forces during [the twentieth century]... but there was never enough when the Army expanded."<sup>3</sup>

Holistic Health and Fitness is the Army's primary investment in Soldier readiness and lethality, and it offers the potential to improve Soldiers' lives and increase the readiness across the Army.<sup>4</sup> Tired or overwhelmed Soldiers retain little to none of the lessons of even the most excellent training. Likewise, any advantage gained by having an available senior judge advocate (JA) with years of prior deployments is futile if their blood pressure is so high that a doctor will not medically clear them to support the Joint Force. The challenge for the RC to meet this worthy objective becomes, how? How does the RC find the time and resources required to make it happen with only thirty-eight training days per year to meet the same standards as the Regular Army?

Even the most steadfast supporters of the H2F initiative may wonder whether this initiative can realistically fit into the resource-constrained organizations comprising our RC, which already has so many competing obligations. However, rather than detracting from the mission, H2F is critical to generating healthy, deployable Soldiers. As the adage goes, 80 percent of success is showing up.<sup>5</sup> Reserve Component personnel *must* be healthy in mind *and* body in order to show up and meaningfully contribute as a force multiplier in our Nation's upcoming wars.

The RC's readiness has crucial strategic implications far beyond that of Soldier well-being. Currently, the RC comprises the majority of the Army's total operational force.<sup>6</sup> In contrast, during the Cold War, the RC existed as a strategic reserve, employed as a last-resort force and deterrent against the Soviet Union simply by existing.<sup>7</sup> During that era, training, equipment, and readiness for Army Reserve units at that time were often consciously, if not deliberately, well below active component levels of readiness.<sup>8</sup> When the Army attempted to quickly operationalize 24,500 strategic Reserve Soldiers in response to the 1968 Tet Offensive in Vietnam, the consequence was units incapable of meeting "minimum combat readiness standards."9 This situation highlights both how different the Army of that time was and the critical role the RC fills in today's more resource-constrained total force.

This strategic reserve paradigm of the RC ended more than a generation ago. National security scholar Dr. Jacquelyn Schneider aptly notes that the Army Reserve transformed into an "active-duty light" operational force generator after 9/11.10 This shift meant "reservists had to meet active-duty training standards, and subsequently spent more time on duty and less time as civilians."11 In fact, the operational Reserve became-almost overnight by Department of Defense (DoD) standards—so important that by 2005, the Government Accountability Office found that the DoD could not "meet its global commitments without sizable participation from among its current 1.2 million [RC] members."12 This need continues today; the consensus among Army leadership is that "the [active] Army is too small to execute the National Defense Strategy at less than significant risk."13 The JAG Corps is not immune from this paradigm shift. Thus, any future uptick in the operational demands of our JAG Corps, when coupled with a smaller active component population, will require significant support from the JAG Corps RC.

Today, the RC is integral to the JAG Corps and greater Army's mission success, but figuring out how to maintain our citizen Soldiers' readiness when the available resources and time are limited compared to the active components is still a work in progress.<sup>14</sup> Reserve component Soldiers are often older, have a higher body mass index, and are less physically fit than their active counterparts.<sup>15</sup> These issues are arguably more acute for legal professionals, who may face more well-being challenges than other professionals.16 Add professional civilian stressors to the requirements of their Reserve duties and subtract time available to focus on individual wellness, and burnout is a calculable risk to the force.

Adding H2F should not be considered from the risk-averse calculation of adding to an already full Reserve plate. The RC has nearly 90 percent less time in uniform annually than its active component counterparts, and a large portion of that time is far away from active-duty resource centers where H2F services are widely available.<sup>17</sup> Additionally, many RC units drill at locations without the health professionals, tracks, gyms, and cordoned-off roads available to our active component partners. As a result, H2F in the RC should be considered, when meaningfully embraced, to offer an innovative and efficient service model that reduces and reallocates resources to

contribute to gains in readiness; an ounce of prevention is worth a pound of cure down the road.

A recent pilot study by the Army Reserve proves that units that provide highvalue training on H2F are doing better than those that continue to do the same physical training we have seen for the last twenty years.<sup>18</sup> In 2019, the Headquarters of the Department of the Army directed the RC to conduct independent pilots considering RC-specific challenges, such as prolonged training timelines for part-time Soldiers, geographically dispersed populations, and competing civilian job priorities.19 The Army Reserve pilot program at this Readiness Division ran for two years. The program employed various implementation strategies, such as virtual and face-to-face engagements, access to H2F training materials, and access to training and education programs along with H2F professionals for individual support. Moreover, an annual health summit was organized as part of the this program, which drew over 800 attendees during its last iteration. The summit trained Soldiers to implement the initiative better within their units. The findings of the Army Reserve's pilot program revealed significant improvements over the control groups. As a result, the RC plans to create twenty-eight H2F programs to expand the pilot across the force.

The challenge is that these pilot programs may not be completely implemented across the RC for years to come, and, for many of our people, getting to an active-duty H2F facility may only happen a few times a year.<sup>20</sup> However, encouraging RC members to take advantage of the H2F resources that already exist and self-implementing concepts can start today.

#### **Systematize Wellness through Counseling: A Tiny but Mighty Step** "You do not rise to the level of your goals. You fall to the level of your systems. Your goal is your desired outcome. Your system is the collection of daily habits that will get you there."<sup>21</sup>

Judge advocates' supervisors have a critical role in creating time and space within their offices and commands to support H2F, improve the health of their people, and ultimately make the Army more ready to fight and win our Nation's wars. Given the compelling benefits of H2F and a formal RC H2F program still under development, RC leaders must act in the interim. However, with drill weekends already filled with competing requirements, leaders need to take an efficient first step to move beyond acknowledging H2F as important. A simple and immediately actionable first step is adding H2F into leader counseling.

Reserve component leaders should incorporate H2F SMART (specific, measurable, achievable, relevant, time-bound) goals with their Soldiers through the formal counseling process.<sup>22</sup> Indeed, the Army Reserve's H2F pilot program includes helpful developmental counseling focused on this topic as part of its H2F starter kit.<sup>23</sup> While this type of formal officer evaluation report counseling is preferred, it often does not happen regularly enough to support the H2F process. But, counseling does not always have to be formal.

#### Make Counseling Tiny

Leaders can still get a lot of mileage out of micro counseling. In his amazing book, Tiny Habits, BJ Fogg reveals the remarkable impact of making small, deliberate changes to your daily routine.<sup>24</sup> Instead of setting the goal of flossing daily, users of this method are encouraged to consider flossing one tooth a success. In the realm of counseling, the goal for supervisors could be to have a five-minute check-in with everyone on their team once a month. In my experience, asking our Soldiers' open-ended questions about stress, sleep, support networks, and fitness, and listening generate amazing results. By doing this regularly, supervisors can create a self-reinforcing battle rhythm where their team comes to expect this after-action review on their holistic health, which generates more engagement by these teammates in taking care of themselves over the month and helps the supervisor identify when they need outside resources. Even if all a leader does is listen and create an expectation that holistic health will be discussed regularly, positive results can follow because of the observer effect.

#### Make It a Priority You Track

As described in the *Harvard Business Review*, people are motivated to work harder when

others are watching.<sup>25</sup> People run faster, are more creative, and think harder about problems when observed.<sup>26</sup> We intuitively know this is the case because, prior to our transition from the Army Physical Fitness Test to the Army Combat Fitness Test (ACFT), leaders focused on push-ups, sit-ups, and running. Soldiers performed well in these physical tasks; no one focused on their shuttle run skills until the ACFT appeared. However, Soldiers now know that these new events will be observed and tracked and, as a result, are focusing on improving in them. Thus, broadening our health goals would enable a JA supervisor to effectively manage and prioritize health and provide Service members with better tools to improve and maintain their overall wellness.

#### Conclusion

"The Army Reserve has this fundamental imperative to be ready enough for the next fight, . . . . but not so ready that we can't keep meaningful civilian jobs and a healthy family lifestyle."<sup>27</sup>

In conclusion, H2F prioritizes our people's health and is a strategic imperative. Neither mission requirements nor leadership imperatives afford the luxury of letting Soldiers learn this lesson the way I did as a young major in the mountains of Hawaii. All supervisors of JAG Corps personnel have a vital role in creating a culture of fitness. Counseling is one tool within our offices and commands to support this goal via H2F, improve the health of our people, and ultimately make the Army more ready. Through engaged coaching, which emphasizes the importance of health and helps Soldiers find and utilize the resources that improve it, we can build a more ready and healthier RC. Do not wait for H2F to find you or your Soldiers limping along after a preventable injury or health issue; take the first step and start the conversation with your people. TAL

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#### Notes

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2. CTR. FOR INITIAL MIL. TRAINING, U.S. DEP'T OF ARMY, THE U.S. ARMY HOLISTIC HEALTH & FITNESS OPERATING CONCEPT: THE U.S. ARMY'S SYSTEM FOR ENHANCING SOLDIER READINESS AND LETHALITY IN THE 21ST CENTURY 4 (1 Oct. 2020), https://www.army.mil/e2/downloads/ rv7/acft/h2f\_operating\_concept.pdf.

3. U.S. Dep't of Army, The Army Lawyer: A History of the Judge Advocate General's Corps, 1775-1975, at 107 (1975).

4. See U.S. DEP'T OF ARMY, FIELD MANUAL 7-22, HOLISTIC HEALTH AND FITNESS (26 Oct. 2012) (C1, 8 Oct. 2020) [hereinafter FM 7-22]; U.S. DEP'T OF ARMY, REG. 350-1, ARMY TRAINING AND LEADER DEVELOPMENT para. 2-23(0) (10 Dec. 2017) [hereinafter AR 350-1].

5. See, e.g., Rosabeth Moss Kanter, The First Secret of Success Is Showing Up, HARV. BUS. REV. (Feb. 14, 2013), https://hbr.org/2013/02/the-first-secret-of-success-is.

6. The National Guard has more than 325,000 Service members, or 33 percent of the total force; the Army Reserve has nearly 190,000 Soldiers, 19 percent of the total force; and the Active component has approximately 463,083, or 47 percent of the total force. *About the Guard*, NAT'L GUARD BUREAU, https://www.nationalguard.mil/about-the-guard/army-national-guard (last visited Apr. 12, 2024), *About Us*, ARMY RESERVE, https://www.usar.army.mil/About-Us (last visited Apr. 12, 2024); U.S. DEP'T OF ARMY, ACTIVE COMPONENT DEMOGRAPHICS (2022), https://api.army.mil/e2/c/downloads/2022/11/15/62a2d64b/active-component-demographic-report-october-2022.pdf.

7. See Jacquelyn Schneider, Moving Beyond Total Force: Building a True Strategic Reserve, WAR ON THE ROCKS (Nov. 2, 2020), https://warontherocks.com/2020/11/ moving-beyond-total-force-building-a-true-strategicreserve.

8. See id.

9. Alice R. Buchalter, Lib. of Cong., Historical Attempts to Reorganize the Reserve Components 14 (2007).

10. Schneider, supra note 7.

11. Id.

12. DEREK B. STEWART, GOV'T ACCOUNTABILITY OFF., GAO-05-285T, MILITARY PERSONNEL: A STRATEGIC APPROACH IS NEEDED TO ADDRESS LONG-TERM GUARD AND RESERVE FORCE AVAILABILITY (2005).

13. Thomas W. Spoehr, U.S. Army, in HERITAGE FOUND., AN ASSESSMENT OF U.S. MILITARY POWER 409, 416 (2024), https://www.heritage.org/sites/default/ files/2024-01/2024\_IndexOfUSMilitaryStrength\_ ASSESSMENT\_POWER\_ALL.pdf.

14. See On the 2023 Posture of the United States Army Reserve: America's Global Operational Reserve Force: Hearing before the S. Subcomm. on Def, Comm. on Appropriations, 118th Cong. (2023) (statement of Jody J. Daniels, General, U.S. Army Reserve Command); CHRISTOPHER SCHNAUBELT ET AL., RAND CORP., RR 1495-A, SUSTAINING THE ARMY'S RESERVE COMPONENTS AS AN OPERATIONAL FORCE (2017).

15. Anna Schuh-Renner et al., Def. Ctrs. for Pub. Health – Aberdeen, U.S. Army Reserve Command Holistic Health and Fitness Pilot Evaluation: Baseline Results, July 2020-December 2021, at 2 (2023); Steven W. Ainsworth & John A. Stokes, Jr., The Multiple Dimensions of Talent in the Army Reserve Soldier, U.S. ARMY (June 19, 2018), https://www. army.mil/article/206867/the\_multiple\_dimensions\_of\_talent\_in\_the\_army\_reserve\_soldier; FM 7-22, supra note 4, para. 2-22; Todd South, Army Guard and Reserve Leaders Want to Whip Their Soldiers into Shape, ARMYTIMES (Apr. 28, 2022), https://www. armytimes.com/news/your-army/2022/04/28/ army-guard-and-reserve-leaders-want-to-whip-theirsoldiers-into-shape.

16. See Patrick R. Krill et al., The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys, 10 J. of Addiction Med. 46 (2016); Justin Anker et al., Stress, Drink, Leave: An Examination of Gender-Specific Risk Factors for Mental Health Problems and Attrition Among Licensed Attorneys, PLoS ONE, no. 5, 2021, at 1; INT'L BAR ASSN., MENTAL WELLBEING IN THE LEGAL PROFESSION: A GLOBAL STUDY (2021); Jarrod F. Reich, Capitalizing on Healthy Lawyers: The Business Case for Law Firms to Promote and Prioritize Lawyer Well-Being, 65 VILLANOVA L. REV. 361 (2020); Jennifer C. Zampogna et al., Why Does the Practice of Law Tend to Challenge Mental Health?, DISCIPLINARY BD. OF SUP. CT. OF PA. (May 2, 2022), https://www.padisciplinaryboard. org/news-media/news-article/1538/why-does-thepractice-of-law-tend-to-challenge-mental-health.

17. Note that active-duty Soldiers do not train for 365 days. *See* FM 7-22, *supra* note 4; AR 350-1, *supra* note 4, para. 2-23(o).

18. See Todd South, New Program May Help Guard, Reserve Catch Up to Active Duty on Fitness, ARMYTIMES (Apr. 26, 2023), https://www.armytimes.com/news/ your-army/2023/04/26/new-program-may-helpguard-reserve-catch-up-to-active-duty-on-fitness.

19. Info. Paper, Lieutenant Colonel Le Naird Kerney, subject: United States Army Reserve (USAR) Holistic Health and Fitness (H2F) Pilot Program (15 Dec. 2023) (cited with permission).

20. *Id.* The Army Reserve is not expected to implement H2F across its entire force until fiscal year 2030.

21. JAMES CLEAR, ATOMIC HABITS: AN EASY & PROVEN WAY TO BUILD GOOD HABITS & BREAK BAD ONES 19 (2018).

22. See U.S. DEP'T OF ARMY, FIELD MANUAL 6-22, DEVELOPING LEADERS (1 NOV. 2022); U.S. DEP'T OF ARMY, TECHNIQUES PUB. 6-22.1, PROVIDING FEEDBACK: COUNSELING-COACHING-MENTORING (13 Feb. 2024).

23. U.S. Army Reserve, Holistic Health and Fitness (H2F) Starter Kit (n.d.).

24. BJ Fogg, Tiny Habits: The Small Changes that Change Everything (2019).

25. Janina Steinmetz & Ayelet Fishbach, We Work Harder When We Know Someone's Watching, HARV. BUS. REV. (May 18, 2020), https://hbr.org/2020/05/ we-work-harder-when-we-know-someones-watching.

#### 26. Id.

27. Devon L. Suits, Army Reserve Chief: Balance is Key to Retention, MIL. NEWS (Feb. 1, 2019), https://www.militarynews.com/peninsula-warrior/news/army\_news/ army-reserve-chief-balance-is-key-to-retention/article\_c8b9b278-24b6-11e9-9873-2783343d89ab.html.

## **AROUND THE CORPS**

Students of Direct Commissioning Course Class 001-34 work together as a team to navigate obstacles at the Leaders Reaction Course. (Credit: CW2 Levi Ramos)

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A CONTRACT