



FLORIDA BAR NEWS

THE MINDFUL LAWYER: MINDFULNESS, FIDGETY SKEPTICISM, AND HAPPINESS

By Scott Rogers ▸ Special to the News ▸ Columns

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One might ask why mindfulness has become so popular over the last decade. After all, it's been around for a couple of hundred decades. One reason is that a group of well-respected people with social platforms that reach millions have been bitten by the mindfulness bug and inspired to share it with others.

Perhaps one of the most articulate, humorous, and committed voices to this project is ABC news correspondent Dan Harris. You may know him as an anchor for Nightline or co-anchor for the weekend edition of Good Morning America. Since the 2014 release of his first book “10% Happier” this self-described “fidgety skeptic” has turned out an impressive body of material to educate and inspire those interested in mindfulness. I thought it would be helpful to focus this month’s column on some of Dan’s efforts as they offer countless hours of fruitful and engaging reading, listening, watching, and opportunities for practice.

THE BEST SELLER

The #1 *New York Times* bestseller, “10% Happier: How I Tamed the Voice in My Head, Reduced Stress Without Losing My Edge, and Found Self-Help That Actually Works — A True Story,” is a thoughtful and humorous read that recounts a pivotal event in Harris’ professional life that steered him to mindfulness. The book is a great introduction to practical aspects of mindfulness along with its transformative promise. Harris, though, concluded that the book was not as effective as he’d hoped in helping people start and sustain a mindfulness practice. His second book, “Meditation for Fidgety Skeptics: A 10% Happier How to Book,” co-authored with Jeff Warren, is less memoir and offers humorous and creative methods for establishing and sustaining a regular practice.

THE PODCAST

Harris hosts the ABC podcast, “10% Happier,” in which he interviews people with varying degrees of meditation experience, beginning each episode asking them about their meditation practice. At present,

there are 178 podcasts with guests including the likes of Daniel Pink, Tim Ferris, Anderson Cooper, Jewel, Arthur Brooks, Ezra Klein, Gretchen Rubin, George Stephanopoulos, Alan Cummings, LeeAnn Rimes, and Josh Groban. Along with such star power, business leaders like Eileen Fisher, Strauss Zelnick, Jeff Walker, and Shiza Shahid share their experience. He zeroes in on mindfulness with teachers such as Sharon Salzberg, Sam Harris, Jon Kabat-Zinn, George Mumford, Spring Washam, Mark Coleman, and Matthieu Ricard, and with scientists Amishi Jha, Richard Davison, Judson Brewer, and David Vago. He also explores mindfulness and law with federal Judge Jeremy Fogel and law professor Rhonda Magee, and I have had the privilege of appearing on the podcast where we explored mindfulness and embracing adversity. Show topics run the gamut, often moving beyond meditation, and include leadership, anxiety and depression, ADHD, death and dying, politics, Buddhism, faith, communication, gratitude, and technology.

THE VIDEO

You can get a sense of the way Harris effectively shares mindfulness insights in various videos found on YouTube, and I encourage you to watch the three-minute segment **“Why Mindfulness is a Superpower”** where clever animation illuminates his definition of mindfulness as “the ability to know what’s happening in your head at any given moment without getting carried away by it.” If you ever get frustrated in traffic, you’ll find it especially practical. So too might children in your life.

THE APP

The “10% Happier” app offers a mindfulness training program with short video segments offering mindfulness lessons (both general and oriented around pragmatic topics) coupled with a wide range of guided meditations of varying lengths. The app carries a subscription fee, though you can download a free version that provides interesting content and guided practices to get a taste of the larger offering.

In my estimation, Dan Harris has a deep insight into mindfulness, borne out of the seriousness with which he approaches it, and he reflects honestly on the ways it has deeply transformed his relationships with others (and himself), and how it continues to enrich the quality of his life. (In Episode #114, he interviews his wife, Bianca, an ER doctor who initially recommended he consider meditation, though she hasn’t yet jumped on his bandwagon).

At times, Harris answers listener's questions and here is his practical response to a listener's question from Episode 137 (streamlined for the sake of space) on how to "build a stronger stillness" while meditating and stop moving. Harris replies:

"I don't know about a stillness meditation, but I do know about the issue of stillness in meditation because that comes up a lot, especially for fidgety people such as myself. People often ask, 'can I move,' and the headline answer is 'yes,' you can move, especially if you think you're going to get hurt. You will not get struck by lightning if you move while meditating. There is however a real benefit to staying still. The body will get uncomfortable. There is a reason why we are shifting in our chair all day long. And what we are doing in meditation is learning how to be equanimous, be okay, with the discomfort. Not get carried away by all the stories of "oh my God, this is going to get worse." "This is never going to end," etc. etc. So the move in meditation, as I have been taught it, is to get curious about the discomfort. Get curious about the kind of thinking that the discomfort is provoking, and to view it mindfully, not get so caught up in it. And that, ultimately is what we are training. We are developing the ability, over time, to be able to handle stuff that we often just run from.

I hope you find the above to be a useful guide to one or more useful entry points to learn about or deepen your interest in mindfulness. You can learn about Dan by watching his entertaining and informative 15-minute Nightline Segment titled ["The Long Journey to Becoming 10% Happier."](#) where he discusses the events leading him to mindfulness and culminating in his first book.

If you have a general question about mindfulness or a specific question about integrating mindfulness into the practice of law that you would like answered in this column, send it to srogers@law.miami.edu.



*Scott Rogers, M.S., J.D., is a nationally recognized leader in the area of mindfulness in law and founded and directs the University of Miami School of Law's Mindfulness in Law Program where he teaches mindful ethics, mindful leadership, mindfulness and negotiation, and mindfulness in law. He is the creator of Jurisight, one of the first CLE programs in the country to integrate mindfulness and neuroscience and conducts workshops and presentations on the role of mindfulness in legal education and across the legal profession. He is author of the recently released, **"The Mindful Law Student: A Mindfulness in Law Practice Guide,"** written for all audiences.*