

FLORIDA BAR NEWS

THE MINDFUL LAWYER: MINDFULNESS AND THE CULTIVATION OF RESILIENCE

By Scott Rogers > Special to the News

Columns

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Mindfulness practice can be helpful for the cultivation of resilience — a capacity relevant to the everyday practice of law, and one that becomes especially tested during times of extreme uncertainty and distress. The events surrounding the anticipated arrival and consequences of Hurricane Irma upended many lives some of which have returned to normal, while others continue to grapple with the

storm's aftermath. This month's question, posed by Alejandro, is borne out of Hurricane Irma and of the challenge of practicing mindfulness during times when practice may, paradoxically, be most difficult and most necessary.

Alejandro asks:

Hurricane Irma forced the entire state of Florida to focus on disaster preparation, shelter, and recovery. As an attorney, the storm forced me to prioritize time-sensitive safety decisions alongside the needs of my law practice. At times, it was difficult to focus and to even find the time to meditate. I'd appreciate your guidance on what to do when it is difficult to find quiet time to meditate, especially in those moments when it is most needed.

While Alejandro's question focuses specifically on Hurricane Irma, it addresses a matter that is also applicable to the everyday lives of lawyers. Because of the broad reach of the question, we look to one of the most well-respected mindfulness teachers of our day, Sharon Salzberg, to offer practical guidance.

Sharon replies:

Alejandro — In times of such intense trauma it might well be hard to formally meditate. It's easier, of course, if you have quite a lot of practice behind you — that's why I always urge people to try to establish a daily practice in ordinary, more placid, even boring times... that regular practice serves a lot like strength training for a time of much bigger adversity or worry.

But at any time, even if you feel too agitated to sit, you can try walking meditation. Also, in any posture — sitting or standing or walking or lying down — you can take three mindful breaths.

As you go about the activities of your day, feel the weight and texture and temperature of objects in your hand. Feel the hardness of your feet against the floor. This kind of awareness and embodiment helps us feel less scattered and distracted.

As we get more centered, a clearer gap develops between what we are feeling, and our choice for action. Then we truly have a choice. We might feel anger and, not even quite knowing what we feel, we hurriedly write out that email and then press "Send." "Oops" you might think 10 minutes later, as you recollect just how you'd phrased things, the outright hostility you had expressed that now seems like the biggest drag on your getting what you want.

It's not a small thing — to know what we're feeling as we begin to feel it, not after it has escalated. It is also not a small thing to have the choice and the training not to act out every thought and feeling that arises in our minds. The more we practice, the clearer our decision making becomes. In times when you can't do a dedicated period of around 10 minutes a day, see if you can do the short exercises described above, spread throughout the day.

In her thoughtful response, Sharon offers insight into what are termed "formal" and "informal" practice opportunities. The 10-minute daily practice is a "formal" practice, one practiced with regularity and often at a specific time for a specific duration. The practice of mindful walking, along with the informal practices of taking three mindful breaths, and being more attentive to the rich sensory qualities of your moment-to-moment experience, are not only extremely helpful, but serve as a reminder that mindfulness is accessible all the time.

Thanks to Alejandro for proffering a very relevant question, and to Sharon, for the wise response and reminder of the larger aspect of mindfulness practice. Sharon is the author of numerous books on mindfulness, including the bestseller, "Real Happiness," "Real Happiness at Work," and the recently released "Real Love."

Resource Note: Download the popular "Insight Timer" app and listen to a 10-minute mindfulness practice guided by Sharon Salzberg, along with other recordings by Sharon, myself, and other teachers. Join the "Mindfulness in Law" group and connect with other lawyers.

If you have a 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.