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THE MINDFUL LAWYER: RELAXING A TENSION AND ATTENTION

By Scott Rogers ▶ Special to the News ▶ Columns

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It is said that the practice of mindfulness is simple but not easy. This column is intended to help bridge this gap by shining a little light on “attention,” a building block to so many mindfulness practices. Don’t let the play on words in the title detract from the seriousness of its message: the ability to concentrate and sustain attention where you choose, and to notice and redirect a wandering attention can play a significant role in stress reduction and relaxation, not to mention focus and working memory.

“A Wandering Mind is an Unhappy Mind” is the title of a 2010 research paper published in the premier journal *Science* and the source of the finding that attention wanders about 47 percent of the time. One of the benefits of mindfulness practice is the impact it can have on your ability to notice mind wandering, thereby limiting the time spent lost in thought, catapulted mindlessly into past and future. Such moments can be a mental quicksand, and mindfulness practices help us avoid the peril or minimize their duration and emotional toll. Key to all of this is the faculty of attention.

Below I share with you what I have termed “Nine Principles of Attention,” assembled through my direct experience practicing mindfulness and informed by various wisdom traditions and science. Shining light on this powerful and elusive faculty can help illuminate why mindfulness practice, as a training of attention, can be both invaluable and feel challenging. You can think of it as getting a glimpse of an instruction manual for a tool that you use pretty much all the time, better understanding how it works, appreciating its limitations, and more skillfully using and taking care of it.

NINE PRINCIPLES OF ATTENTION

1. **“Attention needs an object”** refers to the observable fact that if you’re paying attention, you’re paying attention to an object. Right now, for example, the object of your attention is this column.

2. **“Attention follows directions”** in that you are able to direct your attention where you choose. You can look at your hand, for example, momentarily changing the object of your attention. You can choose to return to this column and read through it.

3. **“Attention can be fickle”** refers to the fact that wherever your attention is placed, it is likely that it will soon wander off and select another object to attend to. Even as you are reading this, you may notice your attention shifting about. That’s what attention does. It’s normal. And, at times, it can be useful.

4. **“Attention is nimble”** in that it can engage in extraordinary mental acrobatics as it surveys and tracks the landscape of your experience. The fact that you can read these words and make sense of them while managing a wide variety of internal and external sensory stimuli speaks to its nimble nature.

5. **“Attention is a limited resource”** is one of the reasons you can become fatigued by intensely focusing attention, or get lost in emotionally intense content, and why efforts to multi-task take a toll on productivity and wellbeing. Should you be reading this while texting, talking, or watching a show, one or more of those endeavors is likely to be compromised.

6. **“Attention is selective”** is why you are able to focus in on something very specific (like these words), and pretty much tune out other objects (and people) in your midst.

7. **“Attention gathers data”** refers to its capacity to gather information about the objects it alights upon.

8. **“Attention is predictable”** and when you spend a little time observing your mind and where your attention is, you’ll discover patterns.

9. **“Attention is trainable”** so that where you find patterns that do not serve you well, there are ways of refining the quality of attention, and there are many benefits that flow from doing so.

A paradox of mindfulness practice is that the very attention that is trained is the very capacity needed to practice mindfulness. The next time you sit down to practice mindfulness, you’ll likely be placing attention on an object, like the breath with the intention to keep attention trained on the object for a period of time. Soon your attention will wander from the object. This exercise offers you insight into the nature of the mind and is a pathway to developing a steadier attention. Much good can follow from a steadier attention in areas ranging from mental health, communication, productivity, and personal relationships.

A DAILY INTROSPECTIVE ACT

Bill George, senior fellow of the Harvard Business School, former chair and CEO of Medtronic, and a longtime meditator writes that “[t]he best time to start a mindful practice is now, but don’t take the word “practice” lightly. Maintaining the discipline of your practice isn’t easy. To become a mindful leader, you need to make this a daily introspective act.

By reflecting on the above principles of attention and better understanding its nature, you may find the practice to be a less daunting enterprise. I hope that these principles, which are each testable and knowable through your own direct experience, may inspire practice, manage expectations, and enhance the richness of life, personally and professionally.

If you have a question about mindfulness and integrating it 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.*