

FLORIDA BAR NEWS

THE MINDFUL LAWYER: WORKING WITH FEAR AND ANXIETY

💄 By Scott Rogers 🔸 Special to the News 🛛 🖨 Columns

March 19, 2021



The practice of law — and the living of life — is met from time to time with experiences that can generate fear based on present-moment threats to our wellbeing, and can set in motion a sense of anxiety and dread over troubling matters that potentially lay on the horizon. Both offer important signals to pay attention to,

though we can overreact to them, leading to a heightened and prolonged sense of

alarm and foreboding.

There are many useful ways of working with fear and anxiety, and it is especially important to do so when they interfere with our performance and compromise our overall wellbeing. Today, health and economic concerns, and the uncertainties associated with the pandemic, can further induce feelings of fear and anxiety. The practice of law is challenging enough as it is, and life — as wonderful as it can be — continues to play out in ways that can leave us waiting for the "other shoe to drop."

Mark Twain noted that he had a great many problems in his life, most of which never happened. Oh, the angst we experience, time and time again, over matters we see looming larger than they are. At the same time, some problems are quite real—clear and present dangers—to which we will want to be cognitively, emotional, and physically sharp.

THREE MINDFULNESS PRACTICES FOR WORKING WITH FEAR

Mindfulness practices can help us to attend more fully to our present-moment situation, without getting as lost in worries of the future and jarred by unsettling sensations in the body. They help us develop our innate capacity to remain present and steady to take on what is *actually* transpiring, moment by moment. We become more adept at noticing when the mind begins to spin stories of worse-case scenarios, and to return attention to what is actually taking place. And because the ways anxiety can take hold in the body can be so uncomfortable, mindfulness practices can help us cultivate greater resilience amid these unpleasant sensations, and in so doing minimize the elaborative storytelling that can exacerbate them.

There are a variety of mindfulness practices that can be helpful for working with fear and anxiety. Below are three that you can practice on a regular and as-needed basis. The first two are popular mindfulness exercises known as "R.A.I.N." and the "3-Minute Breathing Space." The third is a practice developed by attorney Sarah El Azouzi, a recent law school graduate who has applied mindfulness insights and practices to her personal and professional life, finding them to be helpful for working with worry and fear. Sarah's practice was borne out of the real-world threat and worries she met as she completed her journey through law school. One aspect was the worry of disappointing others as she readied to graduate; the other was the fear of dying, having been diagnosed with a life-threatening and advanced cancer. While very different in many ways, the two situations each set in motion an ongoing concern for what each day and the future would hold — for her relationship with others whom she loves and respects — and for her very life and the desire to survive to follow her dreams and to guide her young daughter through her life's journey.

THE R.A.I.N PRACTICE

R.A.I.N. is a helpful mindfulness exercise that carries a cognitive component many find helpful when experiencing anxious feelings. The acronym stands for *Recognize, Allow, Investigate, and Nurture* and offers an in-the-moment method for skillfully moving toward and examining the uncomfortable feeling. For example, if you are feeling anxious, after taking a few deeper breaths to settle into the practice and perhaps feel a little more relaxed, you check in with your experience, <u>recognizing</u> the emotion that is arising, in this case *anxiety*. This begins to shift your relationship to the experience, less likely to become lost in anxious feelings. Then, you turn attention toward the experience, <u>allowing</u> it to be as it is (after all, it's already here, isn't it). Then, cultivate a more curious attitude by <u>investigating</u> how it is taking form — physical sensations, thoughts, feelings — observing how they change. This helps to identify less with the uncomfortable feeling, having begun to relate to it at a psychological distance. The practice closes by <u>nurturing</u> yourself, engaging in some form of self-care. You can listen to a R.A.I.N. practice led by Tara Brach, a popular mindfulness teacher by <u>clicking here</u>.

3-MINUTE BREATHING SPACE PRACTICE

The 3-Minute Breathing Space is a practice found within the popular and well-researched Mindfulness-Based Cognitive Therapy (MBCT) program. In a very structured and easy to follow way, you observe

2

present-moment experiences of the mind, body, and breath. The standard instruction involves (1) attending broadly to your experience, noting it, but without the need to change what is being observed, (2) narrowing the field of attention to a single, pointed focus on the breath, and (3) widening attention again to include the body as a whole and any sensations that are present. About a minute is spent on each of the three segments, which visually resembles an hourglass: wide at the top, narrow in the middle, and wide at the bottom You can listen to 3-Minute Breathing Space, led by **Zindel Segal**, one of the researchers who developed the exercise by **clicking here**.

SARAH'S MINDFULNESS VISUALIZATION

What I find especially instructive about Sarah's approach is the creative ways she integrates mindfulness practices with wellness exercises of visualization and journaling that resonate with her. Below is the short practice she adapted and turns to when she notices the approach of fear.

- Close the eyes and take three long breaths, inhaling for four seconds and then holding the breath momentarily before exhaling for six seconds. The breaths are to promote a state of relaxation.
- When you are ready (and in a gentle way that is not too uncomfortable) invite your fear to reveal itself, imagining it play out. Attend to its detail — storyline, imagery, color, person, shape, outcome.
- Take note of your breathing as you continue to watch fear play out. Give fear the space to show you how far, serious or even playful it can get.
- 4. Attentively listen to what your fear is telling you and continue breathing. Speak to it. Become aware of how the arising of fear feels, emotionally and physically. Observe your thoughts, feelings and body sensations, open to its unpleasant qualities. Sit for a few moments with the discomfort, allowing it to feel more familiar. Being witness to the experience creates a little distance.
- 5. When you are done communicating with your fear, trust that you are ready and strong. Trust that everything you feel is understandable, is okay.
- 6. Return your attention to the breath and deepen it as you thank your body for going through this practice with you. Feel your belly rise and fall. Notice how your body feels. Is it warm,

cool, tingling? Slowly move your fingers and toes. Blink your eyes open when you are ready and take note of your surrounding environment. Notice that the fear is not you.

7. If you'd like to, bring the practice to a close by journaling the experience. It can be helpful to bring awareness to and better understand our fears so that we may acknowledge them kindly and let them go. I find when you observe and write about a fear, knowing it is not you, it is easier to notice it and overcome it.

I am grateful to Sarah for sharing her experience and inspired by the creative way she has developed a mindfulness practice that has been helpful to her during very challenging periods. Sarah notes that through ongoing practice:

As I interact with people, I notice the mask of cancer survivor that people see in me fall off. The mask used to reflect a woman who was brittle, weak, broken, and hopeless. Today, I am strong, hopeful, and optimistic about the message and blessings my cancer can bring. I am not worried about offending others. I do not need pity or sympathy. I am lighter, happier, but most importantly I am breathing through fear that I appreciate starts as a seed of doubt.

As you'll note from Sarah's personal practice, the R.A.I.N. practice, and the 3-Minute Breathing Space, being open and receptive to the discomfort we will experience in life and relating to it in a compassionate and structured way can be helpful both for bringing about short-term relief as well as establishing for the longer term, a different way of relating to fear.

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.