

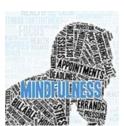
FLORIDA BAR NEWS

THE MINDFUL LAWYER

By Scott Rogers > Special to the News

Columns

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While we may find it necessary to get away from it all from time to time (and selfcare is indeed crucial), we members of the legal profession courageously and compassionately move into conflict to help others. It is important to do so skillfully.

A few weeks ago, Burt Bacharach passed away at the age of 94. Bacharach is

widely regarded as one of the most important and influential figures of 20th-century popular music.

Whether you passed the bar in 1953 or 2023, it is likely that you are familiar with the melodies to one or more of his 73 U.S. Top 40 hits. If his name doesn't ring a bell, some of the songs listed below probably do.

"Raindrops Keep Fallin' on My Head,"

"This Guy's in Love with You,"

"I Say a Little Prayer,"

"Walk On By,"

"(They Long to Be) Close to You,"

"What's New Pussycat,"

"Arthur's Theme (Best That You Can Do)"

"That's What Friends Are For,"

"God Give Me Strength,"

"Do You Know the Way to San Jose,"

"I'll Never Fall in Love Again",

"Alfie,"

"The Look of Love,"

Bacharach accumulated three Academy Awards, six Grammy Awards, and one Emmy Award. The first song listed above won the Academy Award for "Butch Cassidy and the Sundance Kid" while the last one was nominated for "Casino Royale" and was inducted into the Grammy Hall of Fame.

You may be asking what Burt Bacharach and his catchy tunes have to do with mindfulness and law. Let's take a look at one of his lesser-known works from "Lost Horizon," a movie that flopped at the box office and among critics.

HAVE YOU EVER DREAMED OF A PLACE

The plot to this '73 remake of the '37 Frank Capra Academy Award winning film involves a group of travelers fleeing a bloody revolution whose plane is hijacked and crashes in the Himalayas. They are rescued and trek through the snow to a lush paradise sheltered by the mountains called Shangri-La. The title track carries Hal David's lyrics and poses a question that may be pertinent to you given the stressful, challenging, and important work you do and sadly is as relevant today as it was in 1973 and would have been in 1937.

Have you ever dreamed of a place

Far away from it all

Where the air you breath is soft and clean

And children play in field of green

And the sound of guns

Doesn't pound in your ears . . . anymore

A life in the law is one frequently surrounded by conflict. And despite this, we willingly lean into our client's often chaotic, volatile, and uncertain circumstances to be of service. We do this to help them resolve disputes, find relief and, in doing so, help society to heal and grow. Still, this can take a toll.

Agitated emotions, fear, stress, and worrisome thoughts can be contagious, and it is the rare attorney who does not feel the impact of their client's pain which can lead to their becoming overwhelmed by the weight of it or turning away and feeling numb. Both reactions impact our wellbeing and can leave us . . . dreaming of a place, far away from it all.

The song's chorus offers us a fundamental mindfulness insight and pointer:

Many miles from yesterday

Before you reach tomorrow

Where the time is always just today

There's a lost horizon

Waiting to be found

This is a lyrical way of saying "be present," which as we know is easier said than done (or sung).

Prior **columns** have offered more explicit instruction on practicing mindfulness.

One of the lessons of the movie is that even when we acquire what we think will make us happy, something essential can still be missing. Even amid the lush and beautiful Shangri La where everything is calm, there is still work to be done to further our healing and growth. While we may find it necessary to get away from it all from time to time (and self-care is indeed crucial), we members of the legal profession courageously and compassionately move into conflict to help others. It is important to do so skillfully.

Another lesson is that we all experience moments that can be a source of great unhappiness. Even with all his success, Bacharach had difficulty grappling with Lost Horizon's poor reception. It culminated in the breakup of his partnership with lyricist Hal David and a lawsuit with Dionne Warwick. Fortunately, with the passage of time, they did mend their relationships. If you have fallen out with a once dear friend — perhaps owing to the pandemic, or politics, or a case that didn't turn out well — consider whether it may be worthwhile to reach out and explore possibilities.

THAT'S WHAT FRIENDS ARE FOR

A decade later, Bacharach picked up the phone and reached out to Warwick asking her to work with him on a project. She agreed and the song she sang (with friends, Elton John, Gladys Knight, and Stevie Wonder) "That's What Friends Are For" (lyrics by Carol Bayer Sager) was released as a charity single for AIDS research and prevention. You likely remember the melody and lyrics as it became the number-one US single of 1986, winning two Grammy Awards, including Song of the Year.

THERE'S A LOST HORIZON

Life is not easy and the law offers a process and forum for resolving disputes to help make life a little more fair and to reduce suffering. We lawyers and judges, the stewards of this system, also suffer. Separate and apart from client concerns that can weigh on us, even in the best of days the mind frequently ruminates on the past, leaving us experiencing feelings like regret and guilt, and jumps into the future, anticipating worse case scenarios that can lead to anxiety and dread, many of which will never happen. At such times, it can be helpful to remember that:

Many miles from yesterday

Before you reach tomorrow

Where the time is always just today

There's a lost horizon

Waiting to be found

It can also be helpful to take a few <u>slower deeper breaths</u>, or to sit for a few minutes and <u>practice</u> <u>mindfulness</u>, or listen to beautiful music. If you like Burt Bacharach's music, and are not familiar with his 25-year songwriting collaboration with Elvis Costello, you may enjoy <u>reading about it</u> and listening to one of their songs, the Grammy nominated "<u>God Give Me Strength</u>."



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.