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Smarter, Saner Law Practice: Five Miniatur Steps to Stopping Our Internal War

By JUDI COHEN

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Practicing law can be terrific. It can also be combat. We're barraged with information, living on high alert, scanning for issues and looking for roadside bombs. We feel deeply exhausted. Our battle-hardened existence may make us frustrated, angry and depressed. Mindfulness can shift this. It can help us feel better about our work, broaden our perspective, open up better choices, and help us develop tolerance and even a sense of humor. Mindfulness means paying attention in the present, on purpose and without judgment. Here are five simple steps that will help you start a mindfulness practice:

1. Begin by sitting still.

Lawyers tend to think we're wasting time if we sit still but this is far from the truth. We need stillness to work at optimum levels. When we sit still we collect our thoughts, and reconnect. It's essential to make time for this.

Set your phone to remind yourself to make time to sit still. Have it ring on the hour. When it rings, start by sitting still for one minute. Keep your back straight, feet flat on the floor and hands in the lap, in a comfortable but also dignified position. Remind yourself each time you sit still that you are beginning something important.

2. Once you're still, be quiet.

It's not part of a lawyer's DNA, but once you're sitting still, be completely quiet. Put down your phone, close your computer, and shut the door. It may be unfamiliar but remember, it's only for a minute. Don't push back. Welcome this strange, new experience. Once you're used to sitting in silence, sit for a little bit longer each day.

3. Now, pay attention.

There are two things to which we can always pay attention: our body and our breath.

Start with a body scan. Bring your attention to the top of your head and allow the attention to fall slowly, like water, down through the face, neck, shoulders, arms, hands, fingers, chest, abdomen, pelvis, legs, feet and toes. Whenever the mind wanders, return to paying attention to the body.

After two full scans, shift the attention to the breath. Listen to the air flowing into the nose, feel the coolness as it crosses the upper lip, and sense the pauses at the top of the in-breath and bottom of the out-breath. When the mind wanders off, return to the breath. Do this for five breaths.

You are learning to pay attention in the present, on purpose. You may notice unfamiliar sensations like calm, peace, and joy. This is the mind beginning to stop the war.

4. Pay attention with open-mindedness, without judgment, and with kindness.

For lawyers, Step 4 is often the hardest. It's one thing to be still, quiet and attentive. It's another to do that in an open-minded way, without judging, and with kindness.

The first thing we want to judge is the wild mind. We call it that because when we instruct the mind to pay attention, it veers off into the past, the future, or a belief that we're wasting time. We can easily become frustrated with the wild mind when we see that it doesn't behave.

But the wild mind is not a problem. In fact, we can use it to practice not judging. One way to do this is to remember that the mind is just like other parts of the body. When the heart skips a beat or the stomach grumbles we don't judge them. We observe them with open-mindedness, wondering if we are startled, in love or hungry. When the mind wanders, we do not need to judge it, either. Instead we can observe it with open-mindedness as well, and then patiently return our attention to the body or breath. Even if we have to do this dozens of times in sitting, we can do it with open-mindedness, without judgment, and with kindness.

Think of paper-training a puppy. The paper is at the door but the pup does her business elsewhere. Each time this happens we pick up the pup, place her back on the paper, and say, firmly but kindly, "here." There is no choice but be kind. If we berate the pup, she'll grow up to be fearful and mean.

Mindfulness practice is how we paper-train our own mind. When our mind wanders off, some of us respond with kindness. But some of us criticize, become frustrated, or get angry.

This can be re-wired by mindfulness. Instead of judging the wild mind, we can say, with kindness, tolerance and even a sense of humor, "There it goes again. Now I'll go back to paying attention." As we do this, we re-wire ourselves to relate with tolerance and humor to other situations as well, including the difficulties of practicing law. We re-wire to stop the war.

5. Bring mindfulness into your day-to-day law practice.

There are two kinds of mindfulness. One is the practice you've just learned. Start with one minute per hour and work your way up. The more you practice, the better.

The other is mindfulness in everyday daily life: the practice of taking a moment to pay attention whenever that's useful. It may be in a meeting when tempers are flaring, or



after reading an aggressive email. It may be in a conversation when you feel your frustration rising. Or it may be sitting in silence for five or ten minutes before an appointment or writing a difficult brief.

Bringing mindfulness into the law doesn't mean that law practice won't feel like combat duty. It won't make our colleagues less aggressive, the hours shorter, the work less stressful, or winning less urgent.

But mindfulness will help us tolerate the difficulties of practicing law. It will even help us develop a sense of humor about them. It will help us be smarter, saner lawyers and reconnect to the terrific parts of practicing law. And it will help us to stop the war.



Judi Cohen is an attorney, law professor and mindfulness teacher. Her company, [Warrior One](#), offers mindfulness training and executive, mindfulness-based coaching for lawyers. You can find out more about adding mindfulness to your skillset to create a smarter, saner practice at [www.WarriorOne.com](#) or by getting in touch at +1-510-326-6685 or [Programs@WarriorOne.com](#).

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