

Mindfulness Resources for Lawyers

BY NICK HARRELL

To close out 2022, this month's Legal Research Corner breaks from its traditional format to bring you resources for learning about, developing, and maintaining your own mindfulness practice. While plenty of mindfulness resources exist, this article is designed to help you, the legal professional, understand the benefits of mindfulness as it relates to the law.

Many discussions of mindfulness begin with meditation expert Jon Kabat Zinn's understanding that mindfulness is "paying attention in a particular way: on purpose, in the present moment, and nonjudgmentally."¹ A common, although not exclusive, way to practice mindfulness involves meditation.² To that end, many of the resources in this article involve meditation.

Mindfulness Benefits to Legal Professionals

Learning about the benefits of mindfulness is a great way to motivate yourself and your colleagues to set aside time for it. Legal academics have published numerous articles on the benefits of mindfulness practices for law students, practitioners, and judges. Here are a few that I've found especially helpful.

"Calming Down and Waking Up," by Charity Scott and Paul Verhaeghen, describes the results of the authors' study on the effects of mindfulness training on law students.³ The article reports results from empirical studies they led using quantitative and qualitative analysis. Specifically, the authors find that mindfulness practices reduce stress and improve focus, resilience, self-compassion, and overall well-being.

Both the American Bar Association National Task Force on Lawyer Well-Being and the Colorado Supreme Court Task Force on Lawyer Well-Being have released reports focusing on the legal profession's need to improve the health and well-being of its lawyers.⁴ The reports explain that well-being is an indispensable part of a lawyer's duty of competence and make recommendations for improving lawyer well-being, including through meditation.

"Mindful Mediation," by Brian Pappas, explains how the author's mindfulness practice has enhanced his mediation practice.⁵ For example, Pappas says that practicing mindfulness before and during a mediation improves his listening abilities and facilitates communication. He notes that the key to being a good mediator is "to have an engaged, focused attention; something mindfulness is especially helpful in developing."⁶

"Mindfulness and Judging," by former federal judge Jeremy Fogel, focuses on mindfulness benefits to the judiciary. A mindfulness practice, says Judge Fogel, can help judges attend to repetitive tasks, limit unconscious bias, and improve courtroom demeanor.⁷ Former Supreme Court Justice Stephen Breyer agrees, outlining in "Seeking Serenity" how meditation has positively impacted his health and work.⁸

A few other recommended articles on mindfulness benefits to practitioners are:

- "The Contemplative Lawyer," by Leonard L. Riskin,⁹
- "Mindfulness, Law and Reciprocal Practice," by Scott Rogers,¹⁰
- "The Way of Colorinsight," by Rhonda V. Magee (the appendix to this article contains a thorough list of mindfulness practices),¹¹

- "Mindfulness in Legal Ethics and Professionalism," by Peter H. Huang,¹² and
- "Capitalizing on Healthy Lawyers," by Jarrod F. Reich.¹³

To expand your research further, visit Google Scholar, <https://scholar.google.com>, and enter your desired keywords in the search field. To find articles that don't require a login, simply click the "All X versions" link beneath the title of the article.

Putting It into Practice

Ready to transition from reading about meditation to developing a meditation practice? The following resources are a great way for legal professionals to get started.

The Mindfulness in Law Society¹⁴ hosts free guided meditation sessions twice a week via Zoom. The sessions last about 30 minutes and are led by attorneys. I find that having a regularly scheduled practice time improves the consistency of my mindfulness practices. Furthermore, the community of mindfulness practitioners at these sessions can serve as a wonderful resource for expanding your mindfulness practice. The Mindfulness in Law Society also hosts other events, circulates a newsletter, and coordinates with other groups like the Institute for Well-Being in Law.¹⁵

Mindfulness for Lawyers offers mindfulness services and trainings. The website provides free videos, print handouts, and audio-guided meditations.¹⁶ Format options let you choose the mindfulness format that best fits your preferences and situation, much in the same way having format options in legal research provides flexibility for lawyers. Mindfulness for Lawyers also offers training and consulting for firms.

For those short on time, Professor Rhonda Magee recommends three simple practices for lawyers to bring mindfulness to their work: (1) "take five minutes for a mindfulness reset," (2) "take a minute for gratitude each day," and (3) "find a community."¹⁷

Lawyers can also earn CLE credit for learning about ways to integrate mindfulness into their practice. Some mindfulness CLE course offerings include:

- The Legal Burnout Solution,¹⁸
- Conscious Legal Minds,¹⁹ and

- How Mindfulness Can Help You Avoid Legal Burnout, Continue to Competently Perform Legal Services, and Remain Ethically Compliant.²⁰

As with many CLEs, registration fees apply.

General Resources

Of course, many mindfulness resources aren't specific to the legal profession yet can be inordinately helpful to practitioners. A bonus is that many of these resources are free or low cost.


The UCLA Mindful Research Center²¹ developed and releases content for the UCLA Mindful App.²² This free app contains guided meditations of various lengths, videos about mindfulness and meditation, and a podcast of weekly guided meditations hosted at the UCLA Hammer Museum. The app includes a timer, and both the app and the content are free. I enjoy having the meditations on my phone for bus rides or pauses in my workday. The content is also available when Wi-Fi or Internet access is not available.

Jon Kabat-Zinn, who founded the Mindfulness-Based Stress Reduction Clinic and the Center for Mindfulness in Medicine, Health Care, and Society, has created many guides for practicing mindfulness too. His work includes best-selling books,²³ audio tracks,²⁴ a Masterclass,²⁵ an app,²⁶ and live courses at the University of Massachusetts Memorial Health Center for Mindfulness.²⁷ The resources range in price from free to \$650 for eight-week online courses. I personally enjoy and benefit from Kabat-Zinn's audio tracks and books; in particular, the book he cowrote with his wife on mindful parenting, has helped me be more present for my family and career.²⁸

Another immensely popular meditation aid is the Calm app. Calm offers daily 10-minute guided practices called Daily Calm; various series of meditations (e.g., "Mindful Leadership Meditation" and "Reduce Stress and Anxiety"); and narrated stories to aid sleep. Psychologists, mindfulness experts, and even celebrities with soothing voices narrate the audio. Listeners can also find music by popular artists for relaxation or motivation. Calm offers annual subscription plans for \$79 or lifetime subscription plans for \$399.

Lawyers can find scores of other apps and sources of guided practices on the Internet. When evaluating those apps, professionals should use some of the same criteria we use to evaluate legal resources. Who creates the app? Is it from a reputable entity? How much does it cost? Is there a cost-effective alternative? What format does it come in (e.g., website, app)? What privacy concerns exist? How does the app make money (e.g., subscription fees, institutional support, in-app purchases, data mining)? The process of elimination is a good way to quickly narrow down the options.

Conclusion

Bar associations, practitioners, academics, and judges have found that mindfulness practices can promote lawyer well-being and aid compliance with ethical requirements. The above are a few mindfulness resources that have been particularly useful to me. In fact, I found that merely by researching mindfulness resources for this article, my day-to-day work and the work of writing this article became less stressful. Hopefully, consulting some of these resources may do the same for you. 



Nick Harrell is a research and reference librarian at the US Courts Library, Tenth Circuit—nick_harrell@ca10.uscourts.gov.

Coordinating Editor: Michelle Penn, michelle.penn@colorado.edu

NOTES

1. Rogers, "The Role of Mindfulness in the Ongoing Evolution of Legal Education," 36 *U. Ark. Little Rock L. Rev.* 387, 412 (2014).

2. Huang, "Can Practicing Mindfulness Improve Lawyer Decision-Making, Ethics, and Leadership?," 55 *Hous. L. Rev.* 63, 71 (2017).

3. Scott and Verhaeghen, "Calming Down and Waking Up: An Empirical Study of the Effects of Mindfulness Training on Law Students," 21 *Nev. L.J.* 277 (2020).

4. American Bar Association, "The Path to Lawyer Well Being: Practical Recommendations for Positive Change" (2017); Colorado Supreme Court, "Lawyer Well-Being" (2021).

5. Pappas, "Mindful Meditation," 48 *Sw. L. Rev.* 351 (2019).

6. *Id.* at 365.

7. Fogel, "Mindfulness and Judging," 101 *Judicature* 14 (2017).

8. Enayati, "Seeking Serenity: When Lawyers Go Zen," <https://thechart.blogs.cnn.com/2011/05/11/seeking-serenity-when-lawyers-go-zen>.

9. Riskin, "The Contemplative Lawyer: On the Potential Contributions of Mindfulness Meditation to Law Students, Lawyers, and Their Clients," 7 *Harv. Negot. L. Rev.* (2002).

10. Rogers, "Mindfulness, Law and Reciprocal Practice," 19 *Rich. J.L. & Pub. Int.* 331 (2016).

11. Magee, "The Way of Colorinsight: Understanding Race and Law Effectively Through Mindfulness-Based Colorinsight Practices," 8 *Geo. J.L. & Mod. Critical Race Persp.* 251, 284 (2016).

12. Huang, "Mindfulness in Legal Ethics and Professionalism," 48 *Sw. L. Rev.* 401 (2019).

13. Reich, "Capitalizing on Healthy Lawyers: The Business Case for Law Firms to Promote and Prioritize Lawyer Well-Being," 65 *Vill. L. Rev.* 361 (2020).

14. Mindfulness in Law Society, <https://www.mindfulnessinlawsociety.org>.

15. Institute for Well-Being in Law, <https://lawyerwellbeing.net>.

16. Mindfulness for Lawyers, <https://www.mindfulnessforlawyers.com>.

17. Mindful, "3 Things Lawyers and Other Professionals Can Do Right Now to Bring Mindfulness to Work," <https://www.mindful.org/3-things-lawyers-and-other-professionals-can-do-right-now-to-bring-mindfulness-to-work>.

18. The Legal Burnout Solution, <https://www.legalburnout.com/cle>.

19. Conscious Legal Minds, <http://consciouslegalminds.com/register>.

20. American Bar Association, <https://www.americanbar.org/events-cle/ece/ondemand/403771173>.

21. UCLA Mindful Research Center, <https://www.uclahealth.org/marc>.

22. UCLA Mindful App, <https://www.uclahealth.org/marc/ucla-mindful-app>.

23. Books by Jon Kabat-Zinn, <https://www.mindfulnesscds.com/pages/books-by-jon-kabat-zinn>.

24. Digital Downloads, <https://www.mindfulnesscds.com/collections/mp3s>.

25. Jon Kabat-Zinn Teaches Mindfulness and Meditation, <https://www.masterclass.com/classes/jon-kabat-zinn-teaches-mindfulness-and-meditation>.

26. JKZ Meditations App, <https://www.mindfulnesscds.com/pages/phone-apps>.

27. Mindfulness Programs, <https://www.ummhealth.org/umass-memorial-medical-center/services-treatments/center-for-mindfulness/mindfulness-classes>.

28. Kabat-Zinn and Kabat-Zinn, *Everyday Blessings: The Inner Work of Mindful Parenting* (Hachette Books 1998).