



FLORIDA BAR NEWS

THE MINDFUL LAWYER: PRACTICING TOGETHER ONLINE

By Scott Rogers ▸ Special to the News ▸ Columns

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You may have noticed the abundance of online programs and trainings associated with just about everything. . . including mindfulness. These include both multi-session trainings and short drop-in mindfulness practice sessions. This month's column offers you some general information, insights, and tips for drawing upon these sessions in ways helpful to you.

MEDITATING ALONE

The emergence of meditation apps (like Calm, 10% Happier, Insight Timer, Head Space, and Waking Up) have helped many people come to practice on their own by offering easy to follow instructions, choice of practices, mindfulness insights, and even ambient sounds to help induce certain states. Some find sustained utility in apps while for others it doesn't quite do it, or its novelty or drawing power wears off.

Indeed, it can be challenging to sit and practice mindfulness. One reason is because of the expectation that it will bring about calm, when what it achieves at the outset is a fuller appreciation of how uncalm the mind and body are. The instinctive reaction is to redirect attention to something to fix, problem solve, or that captures our attention than to let it take a rest or worse, attend to itself. Remembering this can be helpful to better sizing up the challenge of an act as seemingly simple as sitting and doing nothing. In fact, the mind is so rambunctious that a more fitting expectation is that the mind will bounce around for the vast majority of the time with occasional moments of rest. Can our attention be that unreliable? It seems we are inclined to stay preoccupied and seek out distraction and stimulation than sit around and observe the thoughts, feelings, and body sensations that, at times, can be agitating and unpleasant to experience.

If you have been interested in starting or sustaining a mindfulness practice, an online group practice may be just the thing. Criminal defense attorney, Amy Belger, writes that:

Making the commitment to create space in my life to engage in mindful observance of the self in the present, re-energizes both mind and body as I pursue what is meaningful to me both personally and professionally throughout the week.

Amy reminds us that the practice is a commitment. And, when we come together to practice, it is a compassionate commitment to each other to practice being present, together.

ONLINE GROUP MEDITATION

There are two key benefits to the online group meditation experience. Online, your ability to find a live group experience and, in many cases, one without any cost, is plentiful. These frequently range from 5 to 60 minutes in length. And because you can access them all over the world, finding a convenient time tends not to be a problem. At present, many are regular events and can become a regular part of your week. If one resonates with you, you may find you look forward to the period of practice as an opportunity to reset, recharge, and relax, and to emerge perceiving things with greater clarity and understanding.

We are social beings and many find it comforting to practice meditation in a group setting. In-person meditation groups have a rich history. With zoom and other technologies, while physical proximity is curtailed, traffic and location are no longer impediments. Signing on to a group meditation can be a deeply grounding, connecting, and meaningful period of personal reflection, mindfulness practice, and stress reduction.

Marie Jo Toussaint, a career prosecutor and longtime meditator writes:

We are in a profession where information overload is ever present. Engaging in a meditation session is greatly beneficial for it allows me to manage stress and negative emotions by helping me stay focused on the present moment. This in turn neutralizes the numerous thoughts racing through my mind, resulting in a relaxed and calm mind that can then handle the demands of my profession with greater ease.

As for the discomfort of sitting alone, while it may surely be a mixed experience involving periods of calm, distraction, self-consciousness, worry, and even sleep, all of it takes place in a familiar environment where you control the video display and can work with the experience at a pace and in a way comfortable to you. And because you are truly left to your own devices, you are in charge of the process. And that can be liberating.

If you register for an online mindfulness session, you will want to keep the link handy as the gathering could be a few days away. This is all the more important as you may come up with a dozen reasons to skip the session and it can be helpful to eliminate at least one of them. Sometimes our reasons are pertinent; other times they evince a subtle aversion to slowing down and turning attention inward. Recent law graduate, Ben Mitrani, with Nelson Mullins Broad and Cassel writes:

You will not regret the time spent meditating. Just as I don't regret working out (only not working out), I believe the same is true for taking time to practice mindfulness. The results are real, and as long as you show up (or logon) to a group practice, you will benefit. But don't expect life-changing results right away; changes to your mind are taking place, but you must practice patience and consistency to realize them.

Of course, as with joining a gym or engaging in any group activity, you will want to vet the offering to make sure it has integrity and feels right for you. Mindfulness teachers, like exercise coaches, vary in their experience, skill and personalities. It's helpful to receive a trusted recommendation. If a group doesn't feel right, find another. You have lots of options.

An important mindfulness insight is that every moment is ripe for present-moment awareness and compassionate engagement. Setting aside time to practice is helpful to cultivating greater capacity in this regard, but the practice is merely prelude. So too, the moments leading up to a period of formal practice are just as ripe for settling into the present moment. Rosario Lozada, a member of the FIU Law faculty and a mindfulness teacher offers this tip:

Give yourself the gift of a few "open" minutes before the scheduled start time of the online meeting. If the meditation group meets from 12:30 to 1, for example, consider blocking off your calendar at 12:20 or even 12:25. In pre-pandemic days, you might have walked or driven to meet with a meditation group in person. The travel time, even if brief, would have offered your body, your mind, and your heart an opportunity to begin "arriving." Today, you can still take a few minutes to arrive. Doing so may allow you to show up for yourself and your online practice community with a little more presence and ease.

From a pragmatic perspective, know that it while it is nice for people to see each other, it is perfectly appropriate to keep your video off the entire time, or to turn it off during the meditation. Also, you will do a service to the group by being mindful of staying on "mute" unless making a comment or asking a

question. Expect to make and observe most comments through the “chat” tool. A good session begins and ends on time and you are not being impolite by exiting anytime you wish, and certainly not at its scheduled end point.

A VARIETY OF OFFERINGS

While many wonderful online offerings are for a general audience, some are specifically geared for lawyers and members of the legal profession. Miami Law's Mindfulness in Law Program first began offering “online” mindfulness sessions in 2012 in collaboration with the DCBA and Federal Bar and offers a free weekly online zoom session each Friday from 12:30-12:45. A founding member of the 2012 DCBA Mindfulness in Law Task Force and regular participant, former Judge Sandy Karlan, who today arbitrates, mediates, and serves as a private judge, writes:

During this unusual and unpredictable time in our lives, I so look forward to our Friday mindfulness sessions at 12:30 p.m. It is my time that I can count on to bring calm and lightness. I also enjoy the camaraderie of so many friends that I don't see in person anymore. I turn off my phone, close the door and relax.

An Internet search will quickly yield a selection of mindfulness offerings. A growing number of law schools and legal organizations are presently making them available to a larger audience. Some involve some sort of fee or membership.

Perhaps one of the most compelling aspects of lawyers coming together to practice mindfulness is that the nature of interaction is so different than in other settings. There is a respectful quiet, a letting go of ego and rightness, a shared interest in connecting at a level that doesn't require words. A period of time to be together without needing to be anything. Yet — without each other we'd be sitting at our desk alone looking at our reflection on the screen. Justice Sandra Day O'Connor reminds us that:

We don't accomplish anything in this world alone... and whatever happens is the result of the whole tapestry of one's life and all the weavings of individual threads from one to another that creates something.

Wherever you live, whatever your circumstance, and whatever other forms of focus, connection, and wellbeing you may explore in your life, an accessible avenue for the cultivation of these important

qualities has become available to many through online mindfulness groups, one perhaps that may prove to be of merit for you.

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.*