



FLORIDA BAR NEWS

THE MINDFUL LAWYER: HEART-OPENING PRACTICES

By Scott Rogers ▶ Special to the News ▶ Columns

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The imagery most frequently associated with Valentine’s Day is the heart. We live at a time when an aching heart is palpable on a daily basis. The pandemic, entering its second year, has taken a toll on relationships, on careers, and on our individual and collective wellbeing. The political landscape has exacerbated relationships among family members, friends, colleagues, and neighbors — be they next door or across

the country. It is a time when the heart opening practices associated with mindfulness, including lovingkindness, self-compassion, and gratitude can be especially helpful. In this month’s column we will review the essence of these practices and tips to draw upon them during the day.

LOVINGKINDESS

This exercise, which many lawyers find to be a powerful antidote to feelings of hostility, fear, and resentment — without compromising zealous advocacy or the willingness to have difficult conversations and address serious problems — involves offering well wishes to others. Common expressions of kindness are as relevant now as ever: happiness, safety, health, and ease. The full-length practice involves bringing to mind first yourself, then someone who loves and cares about you, then someone relatively neutral, then a difficult person, and then all beings, and in turn wishing:

May you be happy

May you be safe

May you be healthy

May you live with ease

Practiced even once, or for just one person can be a meaningful experience. Repeated on a regular basis, it can prove transformative. As you are likely to run into each of these categories of people throughout the day, you can test out this practice in real time by offering some or all of these well wishes (silently to yourself) to a person with whom you are interacting. It takes all of a few moments and can

meaningfully enhance the quality of the interaction and your day. Try placing these four phrases (or others you prefer) on a note by your computer as a reminder to practice during a video call. To keep things simple at the start, when you see someone on the screen, take a slower deeper breath and wish for them, “May you be happy.” Links to several full-length guided practices are found below.

SELF-COMPASSION

We lawyers are notorious for being hard on ourselves, judgmental and critical when we do not meet our own high expectations. The harsh inner critic can seem to be key to moving forward in the face of adversity and motivating high achievement. It may be, however, that our tenacity and desire for excellence is independent of critical self-talk which may, in the long run, not only disserve those interests, but slowly beat down on us, reinforce the cruel and often untrue messaging, and compromise our mental health and wellbeing.

There are many self-compassion practices. One, known as mindful self-compassion, combines mindfulness and self-compassion providing a powerful tool for emotional resilience. It has three steps that you can remember and reflect upon during challenging moments or listen to as a guided practice.

The three steps are (1) mindful awareness, (2) a sense of common humanity, and (3) self-kindness.

Mindfulness helps orient us more fully to the present moment so we can acknowledge our experience.

Connecting with our common humanity reminds us that we are not alone. And kindness fosters the space to offer ourselves a little self-care. Together they comprise a state of warmhearted and connected presence during difficult moments in our lives.

As an example, were you to finish a hearing or meeting with someone and experience an agitated state such as doubt, anger, fear, or confusion, you could take a few moments:

1. Take a few slower deeper breaths.
2. Acknowledge what you are experiencing, e.g., “In this moment I am feeling anger.”
3. Remind yourself you are not alone, e.g., “There are many people who are also feeling anger, just like me.”
4. Offer yourself a little kindness or self-care, e.g., placing your hand on your heart, rubbing your shoulders, taking a walk outdoors, enjoying a cup of tea.

GRATITUDE

You have likely heard how gratitude can be helpful when feeling stressed and overwhelmed, and for shifting out of agitated states, such as anger, fear and disappointment. Practices such as keeping a gratitude journal and writing a letter of thanks to someone who has made a difference in your life go a long way. Gratitude can also be cultivated amid brief moments of the day as a mindfulness practice. Turning your attention to something you are grateful for makes room for what is real in your life and may displace a reactive state that has momentarily taken hold. Hence, the popular phrase: “Interrupt stress with gratitude.”

One way you can practice gratitude when feeling agitated is by bringing to mind someone who has been kind to you and then mentally finishing this sentence:

Thank you _____ for _____.

You can take it a step further by sending them an e-mail or text, or calling them to express your gratitude.

Each of the above three heart-opening practices has many forms — some of which may resonate more than others. You may also have noticed features that they all share. Below are columns for lawyers that explore these three practices followed by a link to guided practices that you can watch. If interested in a deeper dive, I share some books written by leading experts in the field.

As we together move forward into 2021, let’s see if we can connect with the goodness in others, especially in those moments when things may seem hopeless. And let us cultivate these qualities in ourselves, which may well be the very springboard to realizing it in others and to our happiness and well-being.

ARTICLES FOR LAWYERS

[**The Role of Self-Compassion in the Law**](#)

[**Deepening Gratitude**](#)

GUIDED PRACTICES FOR LAWYERS

[**LovingKindness Practice**](#) (with Sharon Salzberg)

[**LovingKindness Practice**](#) (with Scott Rogers)

[**LovingKindness Practice**](#) (with Luke Arrington)

[**Self-Compassion Practice**](#) (with Scott Rogers)

[Self-Compassion Practice](#) (with Shauna Shapiro)

[Gratitude Practice](#) (with Tal Ben Shahar)

WEBINAR

[2020 Webinar on LovingKindness](#) (with Dean Tony Varona and Scott Rogers)

SONG

[Gratitude](#) (a song by Nimo worth “watching”)

BOOKS:

“Lovingkindness: The Revolutionary Art of Happiness” by Sharon Salzberg

“The Mindful Path to Self-Compassion: Freeing Yourself from Destructive Thoughts and Emotions” by Christopher Germer

“Gratitude Works!: A 21-Day Program for Creating Emotional Prosperity” by Robert Emmons



*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.*