

Sharpen your Practice with Mindfulness

by Anna Smyth, MS

A sharp mind is one of the greatest tools an attorney can possess. A top performing attorney needs a mind that can focus under pressure, respond quickly and accurately, and clearly recall and process a high volume of information, all while operating under high levels of stress. But often the very nature of law practice – a combination of long hours, high stakes, and intense pressure – is the perfect recipe for a fatigued and even burned-out mind.

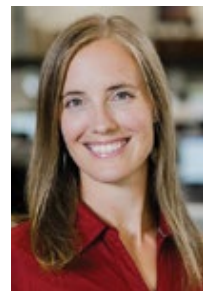
Some hope that a vacation or indulgences of food, drinking, drugs, gaming, etc. will offer a sufficient, albeit short-lived, diversion to reset and refresh the mind from chronic stress and fatigue. These coping strategies may work temporarily, but we can't go on vacation every time we feel excessive stress, and overconsumption of stimulants leads to addictions which often compromise both the quality of your work as well as the quality of your life. What's needed is a tool that is readily available, easily implemented, and safe for body and mind – a tool that reliably enhances calm, concentration, and innovative thinking, while also decreasing the stress, depression, and anxiety that plague legal professionals. Mindfulness is just such a tool. Jacob, an attorney in the Boston area, began practicing mindfulness in 2004 during a very stressful corporate downsizing due to a merger. "I noticed benefits from mindfulness and meditation right away and have continued seeing myself benefit from mindfulness practice over the years."

What is Mindfulness? When we practice mindfulness, we are cultivating the skill of being fully present in our lives without being controlled by emotional reactivity. One common mindfulness meditation is to focus attention on the sensation of breathing for a set period of time; a variety

of other formal and informal practices are taught as well by mindfulness trainers including mindful eating and mindful walking. On a neurobiological level, research shows that mindfulness practice strengthens certain neuropathways in the prefrontal cortex and decreases activity in the amygdala, which results in a brain that is more calm and focused under stress, more innovative at solving tough problems, and more resilient amidst extreme difficulty. The research demonstrating the substantial positive impact of mindfulness is on the rise. In 2018 alone, 842 academic articles on mindfulness were published in peer-reviewed journals, a ten-fold increase from just ten years earlier – with only 82 published in 2008.¹

As the field of brain science deepens and expands, the study and application of mindfulness as an attention and resilience training tool has rapidly spread. The gold standard in mindfulness interventions, Mindfulness-based Stress Reduction (MBSR), developed in 1979 at the University of Massachusetts Medical School, is now offered in over 700 institutions across the world. And mindfulness has extended its reach far beyond the medical setting – with thousands of schools in dozens of countries using it in the classroom and companies across the world implementing it with their employees. With the high stress, pressure, and mental health issues pervasive within the practice of law, mindfulness can be of particular benefit. In 2017, The National Task Force on Lawyer Well-being released a report stating, "Research has found that mindfulness can reduce rumination, stress, depression, and anxiety. It also can enhance a host of competencies related to lawyer effectiveness. Multiple articles have advocated for mindfulness as an important practice for lawyers and law students. Evidence also suggests that mindfulness can

Anna Smyth, MS is Managing Director of Mindfulness Utah. Anna transitioned from a successful career in management consulting to her current role so she could teach other top performers that professional thriving doesn't have to come at the cost of personal thriving. She holds a Master's Degree in Health Promotion and Education and is a Qualified Instructor in Mindfulness-based Stress Reduction through University of Massachusetts Medical School.





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enhance the sense of work-life balance by reducing workers' preoccupation with work."²

Mindfulness programming within a firm can benefit not only individuals but also team operations and the bottom line. John Tillotson, Partner at TJ Auto Law, recently offered a mindfulness training for his whole firm. "I was impressed by the strong base of neuroscientific research related to mindfulness. It was clear to me that I could gain personally and professionally from starting a mindfulness practice but also that our firm collectively would see improvements from implementing this." PwC published a study in 2014 that found that every dollar spent on initiatives and programs focused on a mentally healthy workplace returned \$2.30; returns including increased productivity and retention, lower absenteeism and decreased healthcare costs.³

It is often said that the practice of mindfulness is simple, but it isn't easy. Training the mind requires discipline and determination, but the benefits are extensive and worthwhile. Mindfulness master Jon Kabat-Zinn stated in his book *Wherever You Go, There You Are*, "Mindfulness is simply a practical way to be more in touch with the fullness of your being through self-observation and self-inquiry. When we commit ourselves to paying attention in an open way...new possibilities open up and...the roughness of life begins to sand our own rough edges."

A sharper mind and fewer rough edges make for a thriving, fulfilling career and life.

Editor's Note: For a more in-depth learning experience of mindfulness practice and its benefits for litigators, join us on January 14 for UAJ's educational event featuring article author and Mindfulness Utah's Managing Director, Anna Smyth.

1. American Mindfulness Research Association, 2019. <https://goamra.org/resources/>
2. *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*. NATIONAL TASK FORCE ON LAWYER WELL-BEING, 2017. <https://lawyerwellbeing.net/>
3. PwC, *Creating a Mentally Healthy Workplace: Return on investment analysis*, March 2014. https://www.headsup.org.au/docs/default-source/resources/beyondblue_workplaceroi_finalreport_may-2014.pdf