



LPMT E-NEWS

news updates from the law practice management and technology section



Competency and Mindfulness in Your Law Practice

By Mari Frank, Esq. CIPP

No one can deny that lawyers have a demanding vocation. Most of what we do involves dealing with high conflict disputes involving adversaries. Even if we serve as neutrals, we may be considered challengers by parties involved the cases. We have been taught to analyze the past and strategize for the future. So it can be difficult for us to stay totally aware and be in the present. With the need to be totally updated about our clients and cases, we often subject ourselves to information overload with data bombardment from our tethered electronic devices. No wonder we are often stressed!

We can decide to make changes in our approach to life to lower our stress levels. Resolutions to eat healthier and exercise help, but to become more effective, gain greater clarity, and improve our consciousness and relationships, practicing mindfulness provides more dramatic transformations. Mindfulness is the act of being completely aware, fully awake, and staying conscious of the present moment. When practicing mindfulness, we are open and receptive to what is happening without judgment, or thoughts of the past or future.

Mindfulness allows us to be where we are and focus only on what is presently happening. We become observers of our emotions, feelings, and thoughts. Mindfulness also involves acceptance of what is happening (whether we like it or not) as we tune into what we're sensing. It gives us time to think through how we wish to proceed. If we are angry but mindful, we won't immediately react in the fight or flight mode emanating from our reptilian brain. To respond from our higher self, we consciously direct our mind to become aware of our breathing, our thoughts and emotions before we respond to a frustrating or hostile situation. We can use our mammalian brain to let go of rehashing the past challenges or imagining a negative future.

Right now- stop and remember a time that you were totally focused on the moment without extraneous thoughts. Perhaps you were skiing, zip-lining, surfing, holding your newborn, mesmerized by a movie, or watching an exciting football or basketball game. We know what it feels like to be absolutely absorbed in the present moment, but how often do we pay attention to what we are doing during our normal day?

Consider practicing mindfulness. There are several studies (available from the author upon request) that provide reasons to practice mindfulness.

The following are some easy ways to start practicing mindfulness:

1. **Start your day earlier to engage in mindful breathing**

Set your alarm 15 minutes early and get up, go to the bathroom. Then find a quiet

comfortable chair for at least 10 minutes, just pay attention to your breathing. If a thought comes in, let it go and re-focus on your breathing. Set a gentle timer on your smart phone so you don't have to worry about time. Finally when the timer goes off, take a final deep breath and let it out, stretch and tell yourself that this will be a great day. You may wish to do this again before you go to sleep, telling yourself that you will have a restful night.

2. **Practice being aware of simple habits**

Each morning be completely mindful of at least one habit you do as you get ready for your day. For example when brushing your teeth, feel the toothbrush massaging our teeth and gums, notice the taste of the tooth paste, watch the faces you make in the mirror while brushing. Or drinking your coffee slowly, consider the taste, the temperature, the color, the buzz you may feel! Pay attention to every physical act feeling our body and staying focused as you engage in a simple daily action.

3. **Really listen to your family, friends and clients, opposing counsel and others**

Look into the eyes of whomever you are conversing. If you are on the phone, close your eyes or at least abstain from multitasking. Listen to each word and focus on what they are saying intently enough so that you can repeat back exactly what they have said in active listening you mirror positively what you heard. (i.e.: I heard you say that you had a tough day with your client because.....). Stop yourself from judging, preparing to respond, or thinking of your own challenges. Be present- it is a gift to those who are speaking. It shows respect and will enhance your relationship. Further it helps you better understand what you need to know-especially if speaking with new clients or opposing counsel.

4. **Savor your food, your environment**

As you eat a meal, slow down and feel the food in your mouth- taste the various flavors and notice the textures. Notice the trees and sky when you are driving to work. Pay attention to the décor in your office. Is it cluttered or neat? Are you comfortable? Really notice your significant other -- his/her hair, clothes, smile, and body language -- without judgment or criticism. Just be an observer. Of course it never hurts to give a compliment to your loved ones and friends.

5. **Focus on being in the present moment when planning**

As lawyers, we plan and create to-do lists and strategize for the future. As we do this we can be mindful of how we are focusing. Are we comfortable with the plan- is it congruent with who we are? What is our conscience telling us? Are we being genuine? Have we listened to our "gut" or our intuition?

6. **Have an attitude of Gratitude**

Be grateful for your clients, staff, family and friends and look for the positive things they do. At the end of each day tell your significant other or family 3 things you are grateful for. That will force you to focus on the good things in your life. You can always find something to be thankful for. You can be grateful for the blue sky, the family pet, the comfort of a home, the smiling face of your child, the kindness of a friend, or even that you have food to nourish yourself etc. The more you say thank you to family, staff, clients, and others, the more they will feel appreciated and reciprocate. Showing genuine gratefulness gives us joy, and increases oxytocin in those we thank, and in turn boosts our endorphins too.

7. Enjoy each moment of life

We all know that our time in our present incarnation is limited. None of us can escape our ultimate destiny -- and we never know when our time is up -- so being mindful and aware of all we are doing is our way of savoring life. Just as we may be totally engrossed in enjoying a fabulous desert, that is how we can focus on our daily life. As you drive to work, look at mountains, lakes, oceans, flowers or other natural beauty around you. If you are stopped in traffic, be mindful of the time you have to just be in the moment and notice things around you. Take time to do something you enjoy doing each day. Make time to listen to music, enjoy your loved ones, turn off the news and find a happy, or comedic movie. Turn off the TV, put down your smart phone and take a walk in nature. Read an uplifting book or do something creative.

Our profession is stressful and as we consider enhancing and maintaining our professional competence, we need to practice mindfulness. To create balance in our lives and our law practice mindfulness improves our emotional intelligence, our memory, our anger management, and our professionalism.

About the Author:

*Mari Frank, Esq. has been an attorney/mediator in private practice in Laguna Niguel since 1985. She teaches negotiation and mediation at Brandman University and is a mediator for the Civil Mediation Panel of the Orange County Superior Court, the OC Bar and QDR Services. She hosts the radio show, **Fighting for Love: Turn Conflict into Collaboration** which airs on KUCI 88.9 FM in Irvine every Monday morning at 8:30 a.m. www.conflicthealing.com. Mari is Special Advisor to the Executive Committee of the Law Practice Management and Technology Section of the State Bar of California. .*

