OPERATOR: This is Conference # 5848946

Lynn Howell Welcome to today's ABA GPSolo podcast. Our topic today is mindfulness 101: Mindful of Our True Nature Moving into Summer. Today's podcast, our brown bag session, is hosted by the Solo small firm and general practice division. My name is Lynn Howell, and I am Chair of the GPSolo Programs Board. To give you a platform for what today is like in our discussion, the practice of mindfulness is generally considered and taught as a sitting practice.

While this form of practice is easy to learn and useful, it is but one of many. Understanding a unified quality that flows across all forms, will deepen an understanding of mindfulness and allow us the opportunities to practice and clarify common misconceptions. Scott Rogers shares a mindful movement practice learned from a [unintelligible] division of [unintelligible], which is grounded in the elements of nature.

As summer approaches, and you find yourself outdoors, this practice may be exceptionally refreshing. Now, I'm going to introduce you to two people today. First, is our Chair, Melanie Bragg of GPSolo division. She's a celebrated author. She just recently had her book Defining Moments: Insights into the Lawyer Soul released as well as she is in general practice in Houston, Texas at the firm Bragg Law PC.

Her practice focuses on probate, small business, family, and mediation. She's currently our Chair, and she -- her vision is to help Solo and small firm attorneys achieve their goals and profitable practice as well as carrying on a personal life. She's also written HIPPA for the General Practitioner, Cross Town Park as well, which is a legal thriller.
She has a [unintelligible]. She writes insights into [A Voyeur Soul], and she also has a bi-monthly column on mindfulness 101 where she writes about being a conscious lawyer. Now, today's central guest, his name is Scott Rogers. He is the Founder and Director of the University of Miami School of Law Mindfulness and Law Program where he teaches mindful ethics, mindful leadership, and mindfulness in law.

And he co-founded the University of Miami's Mindfulness Research and Practice Initiative. He has been sharing mindfulness with members of legal profession for more than twenty years, and for the last ten has been collaborating a neuroscience research exploring the enduring brain and behavior change [that accompanies] mindfulness training program.

He writes his speech extensively on mindfulness and lawyer and law student wellbeing. At this point, I'm going to turn the program over to Melanie and Scott, but to remind you at forty-five minutes into the program, we will open the floor up to questions. Melanie, please take it away.

Melanie Bragg

Thank you Lynn, thank you so much, and hello everybody. It's so wonderful to be here today on our monthly brown bag podcast. Today, we're so honored to have Scott Rogers. He is our bi-monthly columnist for our Mindfulness 101. He's our newest Mindfulness Columnist, and we're just so honored to have him.

And he is, as Lynn told you, he's at the University of Florida College of Law, and he leads a program on mindfulness and law programs. So, he is very interesting guy, and I just want Scott to tell us a little bit about what the law schools are doing. He told me the other day that forty law schools in America have mindfulness programs, and it's really catching on.

So, Scott, tell us a little bit about what's going on in law schools because I think the lawyers who aren't practicing mindfulness need to catch up to the students who are doing it already.

Scott Rogers

It's a good question Melanie, a keen observation, and it's nice to be here, so thank you very much for inviting me on. So, what's taking place around the country? Yeah, I think that more and more law schools are, for a variety of reasons, finding ways of introducing mindfulness and other
contemplative practices to their students and faculty and the law school community for that matter.

And it's happening coast to coast. For the last twenty years, I've collaborated with wonderful colleagues, started pretty much at the level of the law school with those who had personal practices and interested in mindfulness, and were interested with sharing it with students, probably realizing that there were a lot of reasons why it was useful to them and would be useful to those that they spend a lot of time with.

And forty - I don't know the exact number, but forty is certainly in the ballpark of the number of law schools that are doing something, whether it's a classic or a program or workshops or information shared with students etcetera.

Melanie Bragg

Right, well so Scott, tell us a little bit about -- some people mix up -- so this is sort of making the mindfulness, it's a secular practice not really a religious practice, and I think there's some mix up there in some people's minds maybe. So, explain how you formulate that to make sure that any misconceptions about that are more clear.

Scott Rogers

Well, I think that mindfulness the way it is introduced and talked about and shared in much of education, certainly in legal education, is as a brain training practice. Now, not everybody would agree that mindfulness and mindfulness practices are purely in the domain of training the brain in their areas of focus and concentration, which lends itself to being able to regulate emotions etcetera.

But the heart of most of the mindfulness discussions and practices that are talked about and shared, which flow out of much of the research being done is of a practice that is very much oriented around training the mind or having one's brain, if you will, orient towards objects like the breath or like the body as a focal point with the intention of staying or remaining as much as possible on that focal point.

The mind will wonder. They'll bring attention back to the focal point, and there's related mindfulness practices. And that's really the mainstay of much of how mindfulness is by and large taught as a practice. And when one moves into various spiritual and religious traditions of which there's threads of mindfulness of paying attention, of been open and receptive
etcetera, it tends to billow out into very different conversations and considerations.

Melanie Bragg Right, so you're keeping it --you're keeping the focus on more training the brain in your practice then.

Scott Rogers Training the brain, but in the sense of for the purpose of cultivation of greater attention, attentional capacity, focus, concentration, the ability to manage mind wondering, which will inevitably arise and the arising of agitated emotions that - and not so agitated emotions for that matter one might say. That can one away from the person they're listening to, the judge who's speaking to them, the client who's sharing very important information maybe during an emotional time.

And so, that brain training frame is, I think, accurate and certainly the neuroscientists draw upon it, as do I, but it's what it's in the service of that I think is most useful. And it's in the service of those very qualities that I think allow one to be very effective in the practice of law or in the study of law and inter personally in relationship to work as lawyers and our lives more broadly.

Melanie Bragg You say that so well Scott. I just love it. I have to stick this in here because when I found out that you're working with Amishi Jha, she's the one who did that wonderful Ted talk Tame your Wandering Mind that I wrote about. I don't know whenever I -- some other column that I wrote about awhile back, and I've mentioned it more than once in my columns.

And I was so impressed by that because she was talking about the research, the scientific, the neuroscience research that goes into this, and as a lawyer, I'm always looking for some kind of hook to convince my peers that this stuff I'm talking about isn't a bunch of [hoobie jubie] out there kind of stuff. That it really is scientifically correct and stuff.

So, tell us a little bit more about what's going on in that neuroscience studies. I know there's some work with the military that's going on too and just some really interesting things about that taming your wandering mind.
Yeah, she's an extraordinary person and researcher, and in some of the ways that you talk, Melanie, about that hook or that way of sharing information a way that can really be looked at very much as a matter of description, and one can take from it what they wish. While she was at University of Pennsylvania is a and began her career in a research as an attention researcher, she’s interested in attention.

And attention is so important for so much of our wellbeing and our capacity to do the things that we do. Without attentional capacity, without the ability to put our attention somewhere, keep it there, redirect our attention, have an attention that can sort of move around and orient as needed to be vigilant but may come along, much becomes very challenged.

And as our attention becomes challenge so too we find ourselves in more challenging states. So, her research began not with mindfulness as a focus but with attention as the key, and then she was introduced to mindfulness personally, found it to be really helpful, especially as she talks about it in relationship to parenting as a young mother and then began to put the two together.

And then saw the indelible tie between attention and mindfulness practices and in hence has been doing a great deal of important research in the area of mindfulness practices and their associated changes to the brain, structure, function, behavior etcetera and so, the research, which is being conducted broadly across many wonderful universities in settings, though I will add is still very young and new.

And there's so much more to learn and to refine about our understanding, but the research by and large points to the idea that the brain has a neuroplastic quality. That's something that precedes research.

A neuro what?

Neuroplastic plastic. Neuroplasticity is the term that was phrased, which was really in some ways a game changer in terms of the way many for much of the twentieth century and before regarded the stability of the brain's structure. So, that as you may know when you were a kid and certainly when I was a kid, it was like we reach a certain age, the brain
doesn't change.

And if you lose brain cells, that's the end of it and all that. And we've learned that that's not really the case at all. The brain is continually changing in the response to our experience. It just happens to be reinforcing much of the same syntactical connection etcetera because we tend to be conditioned and then we tend to play things out in much the same way.

Mindfulness is sometimes framed as self-directed neuroplasticity because we're sort of deliberately and intentionally taking the reins of our attention, we're taking the reins of how we're deploying our attention, and in doing so, we are self-directing or are more in the driver's seat of the way the brain does change in response to our experience because we're more intentional about our experience.

And so, much of the research looks at changes to areas of the prefrontal region that are associated with executive functioning and focus and concentration and finds changes to the structure as well as the function, but the structure is really interesting as a result of practices like sitting and paying attention to whatever it may be like the breath.

And it's that attentional piece that seems to be fundamental. And the areas of the brain and the functions associated with them, and the key word is associated because there's much to learn. And it's not like one part of the brain does only one thing or does one thing, and so, there's a variety of areas of the brain that have been identified as responsive to mindfulness training practices.

Yeah, Scott, that little blub there, that little paragraph there could just be a whole book. I know. It's so deeply interesting, but going back to lawyers and law students, a typical law student a lot of times they're not as -- they haven't made as much money. Their peers are out there getting ahead of them for those three years.

They have a lot of things on their minds. They are studying. They're worried about the competition. There's a lot of stress around finals. There's a lot of stress about the future. There's stress about student loans. Solo small firms, like mine, I mean, I've been talking to -- I've talked to several lawyers this week who have just confessed to me, Melanie, if I
don't get this -- if I don't get paid I was supposed to be paid a month ago.

If I don't get this payment in, I'm not sure how I'm going to feed my children next week. I mean, they're kind of living almost like a lot of people in our culture are paycheck to paycheck. And if we don't get paid for some reason it might mean that things aren't -- so there's just a lot of stress. And then you've got to roll into having a meeting with clients.

And you've got to be, instead of focusing on your problems, you have to focus on the problems of your client and have empathy. There's just so many stresses. So, what I'm hearing from you is that by training your brain and getting your focus in, there's a way to eliminate a lot of that stress and maybe possibly like, I've been doing, operate in a much more calm fashion in those situations and be able to be more present with your clients, provide maybe better services.

And then a lot of those other problems that are seemingly like from the outside, you change the inside and then the outside changes. I mean, does that kind of resident with you because that's kind of what I've experience. I've just -- I'm blown away right now at the kinds of clients that I'm getting and the things that I'm attracting into my office. And the outcome it’s just like, I'm like wow.

This stuff really works, but I'm not a scientist. I'm just seeing the difference between how I did things twenty years ago and how I do it now and great results. So, I'm kind of a walking experiment, but tell us a little bit about how you're seeing it in terms of law students.

Scott Rogers I think you zeroed in on something very important, whether in the law school context with law students or solo practitioner context or in just the legal context more broadly. Competition for example, you mentioned competition and worrying about competition. Law school there's competition, and practice of the law there's competition, and that's an important distinction between the existence of competition and worrying about competition.

And in many ways, it's that line between the two and how the competition is not optional. It's there. Thank goodness it's there because if no one else is out there doing it, we wouldn't be doing it either probably, but it does keep us on our toes. It does -- it can be consequential. We can miss
opportunities and we can gain opportunities, so that competition is real, and it has a stressful quality, and that's real too.

It can be a stressful quality that's manageable. In fact, it often times is, and we all know there's moments when we're vigilant where you could say we're feeling stressed, and we're on top of our game. In fact, it's rare to be on top of our game and not be feeling something. But when we start to move into that additional layer of now being self-conscious or self-oriented around our experience of being in a competitive state and it generates worrying about it, which then is really a one-word phrase for a whole cascade of thought's we'll be having if I don't get this.

What happens in they do better than me? What happens if they like me more? What if they don't come back? I mean, worrying about the competition is a shorthand for a whole lot of thoughts that move into a negative, pessimistic realm and the feelings that are associated with it and then sensations in the body that take hold.

So, when one -- zero in on this attention and this concentration and focus because it is a very good starting point, it's one thing to sit down at one's desk and say I've got all this work to do, look over and see somebody else who appears to be a couple pages ahead of you - this will be the law school context you talked about perhaps - and then realize -- and then begin having thoughts.

Oh my God, I wonder how far ahead of me they are, or I think they did better in that class than or I wonder where they're so likeable. And then to go wait a minute, what am I doing? I have this task in front of me, and now I'm lost in thought about this other person, and it's adding -- and it's whatever stress is there just as a matter of fact because of the realities on the ground, I'm now adding so much more to it.

Now the key is this though, if we don't realize that we have the left the material in front of us as the object of our attention, and we've begun to now move into the fantastic realm of our imagination is futuristic thinking or even past oriented thinking, then we're lost. And then we will begin to become overwhelmed often, and then we will begin to have our wellbeing compromised.

And if this is a chronic state or a state that we return to again and again and again, it's going to have its consequences, and this is in many ways
the human condition. It's not wrong. It's not bad. It's not a mistake. It's not a sign of something terribly problematic. It's the nature of the mind that wanders around, and what we're finding is, is there's a time for the mind to be at play and certainly the mind will wander.

And we'll get good ideas and at times we'll get concerned about this or that, but there's this capacity to regroup and go, well here I am. Let's see now what am I going to do or not do as the case may be. And it's probably the case that if we are able to notice when our mind leaps off into some future-oriented or past-oriented moment, we can do ourselves a great service in our own -- by ourselves moment and in relationship to others by coming back to what really is at hand.

And so much of our wellbeing and so much of our stress unbeknownst to most of us much of the time, flows out of that one characteristic of mind wondering of which we are unaware.

Melanie Bragg Right, and Scott, and that dovetails into what you just said about the different kinds of stress just being busy or having competition or being in a highly competitive field is not necessarily the type of stress that'll kill you.

The kind of stress that'll kill you or the kind of stress that causes a lot of other problems and shorten your life in fact is that worrying rumination type stress. I mean, running a marathon, working out for a marathon is not necessarily going to kill you, but it's the worrying about the marathon that might.

Scott Rogers Yes, the worrying about the marathon might, and in light of -- well yes, it's the worrying about the marathon that makes it a more challenging and can exacerbate already challenged aspects of our wellbeing.

And so, in many ways when we, as so many of us do in the legal profession, come into it whether it's a student or emerging as a practicing lawyer or judge with already tendencies towards being a little bit more anxious, tendency towards being a little bit more melancholy, tendency towards looking for ways of relief basically just high anxiety or those moments in the daily grind that can just cry out for relief at the end of the
And then you add on to it, a whole other layer of that suffering that you're speaking to, which in many ways is separate and apart from what's actually in front of us, then yes, it's a whole other -- the snowball just picks up a lot of steam and can [unintelligible] consequential.

Melanie Bragg

Yeah, the studies are showing, I know the ABA has done a study about the state of the law, and we look at all the different suicide rates or the over the alcoholism rate. There's just all of the attendant problems because we get up every day, and we go to work. And we're listening to everybody's problems, and sometimes I feel like I'm supposed to be the fairy godmother waving a magic wand.

I can wave a magic wand, and get their problems solved and not charge them. And still have a great day. That's not really realistic, so as lawyers, I really feel like, and I started my year out as chair of this division, saying lawyers are the conduit to justice. And so that conduit justice, the better and stronger and more flexible that that conduit is the better the justice is going to be.

So, I feel like us lawyers have not even just a duty to ourselves but a duty to our profession in the public that we serve to make sure our conduit, our bodies, our minds are in the best place they could possibly be. And so, that's why I'm working so hard to spread this message about the mindfulness, so I know that you have seen -- have you seen lots of good results with it? I mean, are you all just kind of blown away at what's going on?

Scott Rogers

Well, I think -- yeah, we're very encouraged for a lot of reasons. I think that it's a many moving parts considerations being a member of the law, which as you say, it's a conduit to really helping our society and our community and thrive and grow and mature. It is a challenging proposition, and the beneficial aspects, I think, flow out of many different considerations like exercise.

And getting enough sleep and having a strong social network and eating well and finding time for whatever one deems to be their way of sort of steadying and re calibrating their own mental where with all be it meditation, be it mindfulness, which can be a form of a meditative
practice, be it through journaling, be it through whatever forms of reflection.

Now research hasn't necessarily pointed to some of these as being as having the same sorts of benefits or not essentially benefits, I think they're all very beneficial in their own ways. They all don't point to changes to the structure and function of the brain in the way that we're talking about that mindfulness practices in particular do, but since one is, and since law students and lawyers are certainly looking for many avenues of wellbeing some of which are constructive, like exercise can be.

And some of which can be counterproductive and destructive like perhaps one's relationship to alcohol could be. And so too, one can be exercising all the time and that won't be necessary productive, and one could be drinking in a more modest way. And that perhaps could be useful. So, it is hard to pin anything on any one object, but I think that what we're finding and the reason why mindfulness is becoming increasingly relevant across society, let alone the landscape of the law, is because people are experiencing first hand, as you said from your own direct experience.

We are the [laboratory] in many ways, much more meaningful than any scientific research could point us to in terms of our own direct experience and interesting inspiration to being more study, less reactive, better able to listen even when the impulse to jump in is there. We still can have that impulse, but we are able to manage it. And that's a huge step, and everybody has that capacity, and those capacities in one form or another.

And at least to speak for myself personally, I've never had a point where I couldn't improve upon those. So, I think that the application and engagement in mindfulness is bringing about many full benefits along with so many of the other things that we do in conjunction. And mindfulness practices might help one actually get to the gym because they are less distracted during the day, and they are able to not only remember that they want to get to the gym, but they are more productive during the day, so they have more time to do so.

Melanie Bragg

Right Scott, it really does increase your productivity; It's just, I mean it really -- I just can't even tell you. It's just amazing. So, tell us a little bit about -- I know that you really -- that one way that you're really connected to all this is in the area of nature the connection with nature. So, tell us a
little bit about your journey and where you began to see this.

And then I want you to kind of tell us a little bit about your tree exercise because that is just very -- or whichever one you want to pick, but I love that. I listen to that on the other podcast, and I just -- I really thought that was a perfect example of a great exercise that we all can start doing. So, I want to leave our audience today with some good little tips on how they can get started but tell us a little bit about your journey.

Scott Rogers

Okay, well I appreciate your mentioning SoBe mindful approach that I share with people because I think it is eloquent and useful and very accessible during the busy day. When I was in law school at the university of Florida, I had the great joy of getting to spend time with a very wonderful person named Marty Peters, my girlfriend at the time, Pam now my wife, had said one day - she was in law school also.

We're going to meet with Marty today. Marty was the school psychologist. The University of Florida was way ahead of its time. And we learned transcendental meditation. It was my first sort of [flore] into a meditation practice. It's different than mindfulness, but this is related aspects. And I thought it was just extraordinary this idea of turning attention inward as opposed to outward.

All day was spent books, people, TV, jogging and setting outside even all outward, so outward oriented. And here was a practice that said, pay attention in a more inward direction. And I found that shift to be not only satisfying intellectually but also physically. It had a relaxing quality as well as sort of an opening of in time creativity and insight, etcetera.

So, that sort of started the journey. And then shortly after that as I began to - and this was back in the early like nineteen ninety, ninety-one I began to look for things to read. There wasn't a whole lot to read back then. So, I began to look for what I could find and much of it that was emerging related to mindfulness. A wonderful teacher Thich Nhat Hahn had written some books. He was Vietnamese Zen master.

And they were very acceptable box, present the book to Congress many, many years ago. Way before mindfulness was in the mainstream. I came across a wonderful teacher, Fred Eppsteiner who --
Fred Eppsteiner is with the Florida community of mindfulness. He's the primary teacher. He's a long-time teacher. And the Florida Community of mindfulness is one of the -- is a very important center for teaching mindfulness. It comes from in particular the Buddhist tradition, but much of their teachings and conversations don't depend on that necessarily.

And that sort of created a lot of an awareness of the psychology of the mind, and that's really the part that was interesting. Before law school, I was in graduate school in psychology. I've always been interested in psychology, and many ways the broader conversation around mindfulness is one that really looks at Nature of the mind.

Nature of the mind to wander, etcetera, and the various things we've talked about. So, that started me on that journey, and I began to zero in on mindfulness, which really as an umbrella that speaks to many ways of relating to our day to day experience, and having a contemplative practice to situate in the midst of that, and mindfulness became the one that I thought was most, for me, seamless, because in many ways it was seamless and getting an add on, but rather wove itself through the fabric of my day to day life.

In a way (cross talk) that was very self-supporting. It didn't require having to go out and do things, although you can certainly go out and do retreats and workshops, and those are wonderful, but that was, that's to reinforce, not to have and embody the very heart of what it's all about. That call for nothing but year round integrity and interest.

Yeah, and plus when you want to learn more, you want to go deeper, just like we talked, and now, I'm listening to Dan Harris's podcast, since she turned me on to it, the ten percent happier. Since I listened to yours, I've been listening to the rest of them, and there's just so much more to learn. And so, and then of course you got your job as a Federal Law Clerk, and then got a great job too, so I'm sure that mindfulness helped you in your road to success. And, I guess you're seeing it have happened to some of your law students that are in the program too, right?
which I'll explain by just responding something you just said.

Yes, mindfulness practice has been, was very meaningful going through law school, getting married, having children, the judicial clerkship. I did commercial litigation; I went with an internet company. It was very meaningful, helpful support throughout all of that, not to mention family and friends getting older, and sick, and passing away, just life.

But, at the same time or I should say, and at the same time, all of those challenging aspects of life helped to and continues to reinforce the heart of the mindful awareness and living a mindful life. There's a reciprocity there, if the challenge creates the opportunity to be less resistant to the challenge and more open to what's unfolding, while still staying interested and engaged, and not escaping or departing from it, just because it's too much.

Right, and if you have a mindful boss, then the employees are encouraged to be more mindful, in terms of, you know, sometimes I could say to my staff, I always say: a guilty dog barks less, if I'm upset with myself for missing something, I might have an over emotional response to something this really isn't that, it is something else.

But, the more mindful you become, it's not that you're, like you said the beginning of this podcast, you said: it's not the event necessarily, it's you realize what you're doing, you're going to have the emotions, you may. And then, as you realize what your triggers are, the things that trigger you that may not be necessarily related, then the more mindful you are about them.

Then those triggers happen less, and less, and less, till finally one day you look up and you go, oh my gosh, the thing that used to upset me every-you know like the light turns red every time you go through it or something like that, and you're just all upset about that doggone red light. And then, all of a sudden the red light doesn't bother you; you're like wow. That was just an example, I haven't really experienced that one. But, I was trying to- There's so many of those things every day that all of us can, that just add up as little energy depletion quotients, that once we get rid of all those, as many of those draining energy quotients, that frees up so much other energy.
Scott Rogers: Yeah, I think, that I love that you're speaking to that as somebody who interact with other people for whom you can contribute to their lives being more meaningfully rich, and enjoyable, and pleasant, or more taxing and unpleasant, really having little to do with the actual work at hand, but how you treat them. And yeah, that's self-awareness, when you say mindfulness, I'm hearing, especially, a lot of self-awareness. And when our leaders are self-aware, and have that capacity to reflect, and etcetera, it can be a game changer for the organization, let alone the individual.

Melanie Bragg: Yeah, and the capacity to apologize, when you are wrong. And so it's very interesting to what happens - (cross talk).

Scott Rogers: Yeah, that's a wonderful thing.

Melanie Bragg: It's very interesting what happens with lawyers, though, because see, we're supposed to show up every day as a clean slate, and listen to all their problems, and solve all their problems, but yet at the same time, handling our own. So to me, the necessity for this practice is- but tell me a little bit about nature, how you weight the tree? I want the tree.

Scott Rogers: So, let me quickly transitioned into nature, based on what you just said, which is a reminder. And yes, there is self-compassion, and it's a hugely important part of what I heard you talking about with self-compassion. There's a growing body of research, especially spearheaded by Kristen Neff and Chris Germer, on self-compassion, and it relates to mindfulness. They connect up with each other and wellbeing in a very significant way.

And, Chris did a piece for the Florida Bar News. And, the Florida Bar News has a column, monthly, called the mindful lawyer, and he responded to some very important questions on the relationship of self-compassion to the life of lawyers, with some very good tips. So, I would commend that to anybody.

With regards to nature, okay, so the SoBe Mindful Method is a way of bringing together, both, formal practices and informal practice. When one learns mindfulness practices, in particular, they'll learn formal practices where you might sit for five, or ten, or fifteen, or twenty minutes, and perhaps rest your attention on the sensations of the breath, providing a calming, clarifying experience often from doing so. And then, the
objectivist were to stay there, and when you notice a mind wondering, return your attention to the breath or to the sensation of the body, for example.

And, that's a, as a five, or ten, or twenty minutes, or thirty minutes proposition, that's a formal practice. When you set aside time, you commit to it, you put it on your calendar, and it becomes something you do each day. And the fruits of that is one I think finds very quickly, especially, with good guidance and understanding that they're not trying to quiet the mind, and not trying to stop all thoughts, etcetera, can reveal themselves in a very meaningful way with a little bit of practice time.

Informal practices are when you do something like you sort of mentioned, at the stop sign, you get to a stop sign or stop light, and you go: oh here's an opportunity to stop. And, this is an acronym that people find helpful, take a breath, S. T., take a breath, observe the breath, and then proceed. And, that's an informal practice, it's a very quick little practice, and then there's a variety of practices that can be longer, and shorter, and follow a long that continuum.

So, the SoBe Mindful message says: you know what, it's interesting, let's see if we can find a way to draw upon the elements of nature to help us connect to our own SoBe nature. And, some of those elements of nature have a very nice tie in to mindfulness, and many meditative practices, just very naturally, and have been explored, and thought about for millennia, are, particular four, the tree, the wind, the clouds, and the sun.

The tree, and will do tree practice in a moment and we'll talk about the tree, but the tree represents the body. And if you look at a tree outside, it's got this trunk, and roots, and branches, and leaves, and the relationship, the connection to one's body is not too readily apparent, though, the wind represents the breath.

The cloud to represent the coming and going of thoughts and feelings, that’s the activity of the mind.

And, the sun represents awareness and also warmth, the spreading of our own warmth, kindness, and kindness for ourselves and others.
And so, those are the four primary elements that make up the SoBe Mindful Method. And so, there are formal practices that one can do, associated with them.

And those formal practices are very much like basic, traditional, mindfulness practices. Many mindfulness practices begin with something like bring yourself into a, in fact let's do one for thirty seconds and then move into a - and then a shorter practice.

We bring ourselves into a posture that's upright in stable. So as we're sitting here, the posture moves into a little bit more of an upright, stable, but comfortable.

As we, takes three slower, deeper breath, so our eyes may still be open, it doesn't matter. But, we're taking three slower, deeper breath as we breathe in.

And out.

In.

And out.

In.

And out, allowing the breath to resume its natural pacing and rhythm, whatever that may be, as we lower or close our eyes, if they aren't already, and rest our attention on the sensations of the breath, as it is flows through the body.

As thoughts come and go. Feelings come and go.

We notice that there's thoughts and feelings coming and going; we're getting distracted at times, but when we realize that, we gently return our attention to the breath.

And when were ready, in the next moment or two, we can lift the gaze and open the eyes.

Okay and so that was a very short mindful perspective, but if I had slowed it down, if we could have had those same words, the same instruction,
then it could have been a five or ten minutes, typical, practice that most people will learn, early on.

But, what you may have noticed is as I said let's sit in a posture that's upright and stable, well that's a reminder of the tree. Let's take three slower, deeper breath, and then turn our attention to the breath as it naturally flows; that's the wind. If we notice thoughts and feelings coming and going, well those are the clouds, and what is it that's doing this awareness of thoughts and feelings, well that's the sun.

And so, embedded in the nature of contemplative practices for millennia are these elements of nature, that really in many ways coincide with our own true nature. So, the tree practice would be an informal practice; it's something you can do when you're walking outside or looking out your window, and the nice thing is it can wake us up.

So, you can go outside and say, I'm looking for a tree to do this. So with a little practice, you find that when you're outside you naturally are woken up by the trees. So, you're walking, maybe you're lost in thought, maybe you're enjoying the experience, whatever that may be, and you see a tree, and it queues you, and this would be the practice, to stop or slow down, but stopping is good.

To adjust the posture, in many ways, you can do this very subtly, if you're embarrassed, or you're just in a place where it doesn't make sense, or you can do this more fully, by standing upright, by extending the arms to have a nice stretch, and these are the branches, to feel the fluttering of the leaves, the fingers, practice move upward, so that the branches tall.

But, the idea here is there's a relaxation piece that we are deliberately bringing through, drawing upon the body, in the way so they can be relaxing. But at the same time, the sun is out and we're breathing, so we're also aware of the wind blowing, which is the breath. And, it's the sun that has that awareness.

And so, in that moment of stopping, adjusting the posture, we can't help but inevitably be brought more fully into this moment, and even looking around, and seeing that tree, and noticing yourself, the since of a relationship and connection. And then perhaps looking to other people,
basically, going about their day can be a nice moment of reflection, a mindful pause, triggered by the tree.

Melanie Bragg: Yeah Scott, and the thing is, what is so cool about that is, being more way aware, and those little moments, moments by moments, by moments add up to an overall wellbeing. Because, I'm on a bunch of different Facebook groups, so I really got my finger on the pulse of what's going on with lawyers, and I'm seeing a lot of times people going through their day and not even noticing a tree, at all. I mean like (cross talk).


Melanie Bragg: . . . not even, you know, have you ever driven down the street and gone: what a second, I didn't know that building was torn down. When did that new building, all of a sudden you see this building there, and you're like, wait a second, how- They sure did build that fast. No, they didn't really build that that fast, you just weren't noticing it.

Scott Rogers: That's right, and that's really nice. Because, that brings us back to the importance of attention, and paying attention, and sustained attention. And, it also is a reminder of something that Leonard Riskin, and Lenard Riskin is a Professor of Law at North Western and University of Florida, and he's a wonderful writer on mindful, and he refers to it as a wedge of awareness.

This wedge of awareness that sort of can fall in between these moments where we might otherwise just be lost and distracted thinking, etcetera. And like you said so beautifully, those can add up themselves and be very useful to us, to snap out of reactivity, to sort of realize the story we're telling ourselves, then whoa, where did that come from. We all just need to have a moment of relief along the way.

Melanie Bragg: I know. I love it; it's much better. So now when you said this SoBe Mindful Method, could you spell that out for us? Just so - (cross talk).

Scott Rogers: Sure.

Melanie Bragg: If anybody wants to look it up.
Thank you. It's, and you can go to the website, SoBE.com.
SoBemindful.com S. O. B. E. mindful dot com. It comes, you know, I live in Miami Beach, so, SoBe is what's known as South Beach. So, it's a play on that, but what it really is it's the elements of nature: the creative sun, the wind, and the clouds that I mentioned, not the ocean, because not everybody has an ocean.

So, even though we have a gorgeous ocean here, and there to be a lot that's done about the ripples of waves, and the body of the ocean, and all that, because the metaphors run throughout nature. Those were chosen, because wherever you happen to be, you'll have those elements to draw upon, and there's a book, The Elements of Mindfulness, where I lay this out, but SoBemindful.com is the website, and the idea was (cross talk).

That was what I was just fixing to say about your book; I was going to say is that in the six minutes solution or any of your other number of books?

No.

The Element of Mindfulness came out a couple of years ago. The Six-Minutes Solution, and The Mindful Law Students, came out in two thousand and nine. But, the idea about the SoBe Mindful is this, I think, this is, I'd like to share this; it's you want to be mindful, so be mindful, meaning it is a discipline, it is a practice, but it's not adding on so much in the ways that often times people think that it does, when they think about: I have, if you say I have to meditate, then you see that as something to do, not a way of being present.

And so, it's meant to, in many ways, de complex something that is inherently fundamental to our nature. But, it does call for a little bit of discipline and practice, like going to the gym and working out, especially as one starts out.

Yeah. (cross talk) Linn just real quick, I want Scott to tell the audience, real quick, if somebody was trying to figure out where to start, and they just, you know, if they could just do five, ten, fifteen minutes a day, what would you suggest? I know it's different for everybody. That's a broad question, but if you have any tips or recommendations, we would love to hear it.
Scott Rogers

Well for those of us who are very self-sufficient, I'm obviously putting myself in that category to some extent. So, those of us who are very self-sufficient, it's actually quite simple to start:

1. Find a place each day in your home or at your office, where you can have a little bit of secure, quiet time. It doesn't have to be extremely quiet.

2. Sit down. Plop yourself down.

3. Rest your attention on the sensations of your breath.

4. Set a timer for ten minutes.

5. You're going to wander all the time, often in your mind, when you do, come back to the breath, and have that be something that you begin to do, without it becoming more complicated than that. That will create a lot of insight right there, as to the nature of mind wondering and some benefits that flow from being attentive in that regards.

6. And then, there will be much to reap.

But, in terms of an app, there is a wonderful app called: Insight Timer; it's free. There's all these practices, some are mindfulness, some are more or move into other meditative realms, that people- it's a very wonderful app. There is Headspace, which a lot of people like. It comes with a price tag, but it's a very helpful introduction and exploration of mindfulness.

Dan Harris has mentioned- Dan Harris, who you mentioned, has a wonderful app called: 10% Happier; that's a wonderful way to learn mindfulness and exercises, with a lot of very wonderful and important teachers providing information.

Sam Harris has a new app called: Waking Up; it's a very useful apps in that regards.

So, there is the apps; they are just the fundamental basic practice.

And then, there's a wonderful book. Sharon Salzberg has a wonderful
book called: Real Happiness, which is a very basic introduction of mindfulness and very insightful.

Melanie Bragg
Yes, and you have your resource guide that was in the Mindfulness Issue, and thank you so much for your help with that mindfulness issue, just, I have a feeling it's going to be really important issue for our members. Thank you so much Scott.

Linn, I’m sorry we went over just a couple minutes, but I wanted him to give that last little recommendation, before we moved into questions.

Linn Howell
Okay. Operator could you please give our callers instructions for questions please.

Operator
Of course. And that's time, if you would like to ask a question, press star and number one on your telephone keypad, again that's star and number one on the telephone keypad. We will pause for just a moment to compile the Q&A roster.

Linn Howell
Scott, just out of curiosity, relating to the University of Miami School of Law, have you ever had any referrals from professors for students that were having trouble to seek out your assistance?

Scott Rogers
The university of Miami is really extraordinary for being attentive to student wellness. And, there are many things that the school does, and our outgoing Dean, Chris White was instrumental in this, that provide sources of and resources and support for students. So there is a whole group of people, a whole student services team of which I am. I have had the pleasure of being associated (inaudible) four students.

So yes, to answer your question. Yes, faculty and colleagues will say: you know what mindfulness might interest you. You might want to meet up with Scott Rogers or take one of the classes, Mindfulness in Law or Mindful Ethics, both, because you'll learn the subject matter of negotiation, or trial practice, or whatever it may be that happens to be the focus of that particular class, but you will also be learning this mindfulness along the way.

So, the answer is yes, but I begin as I do, because I do believe that it is a collaborative community responsibility.
Linn Howell  Operator, do we have any calls yet?

Operator  We don't have any questions over the phone. If participants, you would like to ask a question press star one on your telephone keypad.

Linn Howell  Okay. Let’s see where we would like to go. Scott, what's the simplest, absolutely simplest, form of mindfulness that someone could do, and I mean mindfulness for the slow?

Scott Rogers  My (laughter), mindfulness this is what it's all about. It's mindfulness with a slowing down, in many ways, so that we can speed up without feeling overly stressed. I would say mindfulness is speaking to a quality of awareness, of the presence, of engagement, of self-awareness.

Mindfulness itself is this umbrella, a term that speaks to, I think, the very things that so many of us are interested in, and we know from our own experience, and we'd like to cultivate more of.

Mindfulness practices are exercises that are in the service of being more self-aware, of being more focused, and able to be interested, and curious, so that we can be more mindfully engage. We can have our attention where we choose to place it, it can stay there, we can gather data, we can be nonjudgmental, as we do, and we can have that way of living our life. So, a mindfulness practice that's very fundamental and basic which one can do, even now.

I can be doing it as I'm talking to you. You can be doing it as you're listening or talking to me. If we would just direct a little bit of our attention, like our attention is like a flashlight, it can shine in a variety of direction, it can be a little bit move around, and to be aware of the sensations of the breath or the sensations of your hands.

For example, your hand might be on the handle the phone, to be, to direct your attention to an object, and it's amazing how you will immediately be more aware of that object, especially if it's a part of the body, and to form the intention to keep it there, and when the mind wanders, to certainly bring it back, whether for a breath or two breath, or longer.

Linn Howell  Okay. Can you talk about the Chi Gong Theory?
Chi gong?

Yes.

Okay. Yes. Chi gong mindfulness is oftentimes looked at as a sitting practice, like one must be sitting to do that, what I just spoke to for example. But, it's the awareness that we're bringing to our experience, which is what really has its move in the realm of mindfulness practice, and that doesn't require setting or anything in particular. Hence, one can be mindful engaged in court, one could be mindful engaged with a client, and one can draw up on mindfulness practices at various times, as well.

Movement of the body can be very useful, because movement of the body is a very healthy thing to do. It's important to move the body. There is ways of stretching and doing that in a responsible way that can be also part of exercise, etcetera. And, if one brings their awareness and their attention to the movement of the body, well now you've got a really nice combination going.

And, Chi gong is a practice that close out of the dowse ancient sort of Chinese and related environment community, which have a series of slow, and sometimes not so slow movements, that happened also in many ways be a necessity of nature, because of when they arose, so many thousands of years ago.

And, that, bringing together of the body, and the breath, and movement, and awareness, with certain repeated forms of movement it’s something that's actually has been shared with lawyers and judges for the better part of the last twenty years. It is one of those interesting movement practices. Leonard Riskin, who I mentioned, Charlie (inaudible), and a variety of others, who spear headed it. Because, they learned it themselves, and they wanted to share it with others.

And so, Chi gong, which is also in the Tai Chi family, some might be a little more familiar with that term, is a movement practice with the mindful attention associated with it.

Okay, well operator do we have any questions?
Operator  We don't have any phone questions. Please continue.

Linn Howell  All right. Well, we've got about three minutes left, so Melanie, would you like to wrap up with Scott, your last few points?

Melanie Bragg  Well, yeah. I was just going to say that not only are we really grateful for Scott, and his knowledge, and his ongoing development with the law students, because I think that is just so exciting. I feel like we're going to be turning out better lawyers, as a result of this. So, I just I'm really excited about what he's doing.

But, I wanted him to maybe explain to us what chi gong is. He says that. I would like for him to spell it, and it just sort of explain it. Because, sometimes when you throw out these terms, it's kind of like saying *Res Ipsa Loquitur* to a lay person; they don't really know what it means. So, there's a lot of language that we've used during this interview that I, well I really want people to know I want insight some curiosity, possibly, to have people look some of these things up, so that's shy.

Scott Rogers  All right. Well I'm like *Res Ipsa Loquitur*, it doesn't speak for itself. So, I can attest on that, really just elaborating on what I spoke on just a few moments ago, but it's spelled in a variety of ways. One is QIGONG, another is CHI GONG, and then, there is this is around up, but QIGONG would be, I think, a useful place to start.

And, in many ways, it's a long time ago, and it's a part of ancient Chinese. It's part of Chinese medicine, although it although it's been research now in very important institutions, and like acupuncture, and like a whole bunch of other eastern approaches to health and well-being, it has it has risen up as being very useful, as well as, a compliment to western medicine. And now, in fact western medicine embraces it, and Eastern medicine embraces Western. So, it's all coming together.

But a long time ago, we had it where people would be outside in nature, a lot, and they would notice how birds would fly and move, and they would notice just the way the elements of nature would, very beautifully and naturally without resistance, flow and move. And, they connected with the fact that there must be something very profound about connecting with that form of aliveness that really is without agenda, without needing to get anywhere to be okay, to be fully present. And so, a lot of these
different types of movement practices draw upon, and therefore, in some ways, are more memorable, because of that connection.

But, I say that because that's where much of the heart of it flows from. And, I think that that's very, for me at least, that piece about connecting with nature, as if we are separate from it, which we're not. So, it's really reconnecting with ourselves, I think is very meaningful. And, those practices have a lot of attention being given by various medical schools and organizations, because their health benefits seem to be readily available, especially as we age.

Linn Howell Thank you so much Scott. We are at the hour, one o'clock. So, it's time to say goodbye. We'd like to thank everyone for joining us today, and the podcast will be on our website at: ambar.org/podcast in a few days. If you're not a member of GP Solo, we hope you'll join the division, especially soon. And now, memberships is now free for AV-Members.

Thank you again, and we all hope you have a great day. Thank you Melanie and Scott for a wonderful presentation. Good bye.

Melanie Bragg Thank you. Thank you everybody. Goodbye. Have a great day everyone.