The Mindful Practice of Law

ABA Forum on the Entertainment and Sports Industries
41st Annual Conference: Playing the Game

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Overview

Part 1
— A high risk profession
— Understanding stress
— Addiction and depression

Part 2
— Discuss mindfulness, yoga, and meditation
— Try some exercises
— How to build your own practice

The Mindful Practice of Law
I am a lawyer and yoga teacher, NOT a mental health professional or neuroscientist!

For educational purposes only!
20% \times 3.6 = 28%
Common Personality Traits

- High achievement orientation
- Perfectionism
- Obsessive-compulsion
Important Resources

**National Suicide Prevention Lifeline:**
The Lifeline provides 24/7, free, and confidential support for people in distress; prevention and crisis resources for you or your loved ones; and best practices for professionals.

Hotline: 1-800-273-8255

The website [https://suicidepreventionlifeline.org](https://suicidepreventionlifeline.org) provides online chat support.

**ABA Commission on Lawyer Assistance Programs:**
“To assure that every judge, lawyer, and law student has access to support and assistance when confronting alcoholism, substance use disorders, or mental health issues so that lawyers are able to recover, families are preserved, and clients and other members of the public are protected. This mission is carried out by supporting the work of state and local Lawyer Assistance Programs (LAPs) as they provide hands-on services and support to those in need of their assistance.”

The website [https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/](https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/) is a directory of LAPs that provide confidential services and support to judges, lawyers, and law students who are facing substance use disorders, or mental health issues. If you or someone you know needs assistance, contact your state or local LAP for further help.
Brief Discussion of Brain Chemistry

Reward Pathway

Stress-Fear-Memory Pathway

Contentment Pathway
Neuroplasticity!
Reward Pathway

- Pleasure
- Instant gratification
- Dopamine (neurotransmitter)
- Short-lived and excitement
- Taking and craving
Reward Pathway

— Without it, no motivation

— Chronic release of dopamine leads to tolerance

— Linked to addictive disorders
<table>
<thead>
<tr>
<th><strong>Addiction</strong></th>
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<tbody>
<tr>
<td><strong>Tolerance</strong></td>
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<tr>
<td>— Ability to process pleasure is lowered</td>
</tr>
<tr>
<td>— Need more of the stimulus</td>
</tr>
<tr>
<td>— For same results</td>
</tr>
<tr>
<td><strong>Withdrawal</strong></td>
</tr>
<tr>
<td>— Not using the substance</td>
</tr>
<tr>
<td>— Have negative mental and physical symptoms</td>
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<tr>
<td>— Have reduced capacity to experience pleasure</td>
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<tr>
<td><strong>Dependence</strong></td>
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<tr>
<td>— Engaging despite</td>
</tr>
<tr>
<td>— Conscious knowledge and recognition</td>
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<tr>
<td>— Harm</td>
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</tbody>
</table>
Behaviors vs. Substances

— DSM-4: Tolerance + Withdrawal + Dependence
— DSM-5: Tolerance + Dependence
What do we Want?
EVIDENCE BASED SCIENCE
When do we Want It?
AFTER PEER REVIEW
Working Definition of Addiction

A strong and harmful need to regularly have a drug or a behavior due to a biochemical drive that cannot be controlled.
Common Traits/Criteria in Addictive Disorders

— Tolerance (need more of the substance or behavior for same results)
— Taking the substance or engaging in the behavior in larger amounts over a longer period than intended
— Withdrawal
— Craving or strong desire to use
— Time spent seeking or recovering from use
— Use interferes with life activities
— Recurrent use resulting in failure to fulfill major role obligations (work, school, home)
— Use despite negative consequences including social or interpersonal problems caused or exacerbated by use
— Recurrent use in physically hazardous situations (e.g., driving)
— Attempts to quit or cut down
Contentment Pathway

- Happiness
- Contentment with life
- Serotonin (neurotransmitter)
- Long-term and calm
- Giving/deeds
- Satisfaction and accomplishment
Contentment Pathway

— Without it, no meaning/hopeless
— Linked to depressive disorders
— Anti-depressants and SSRIs
Common Traits/Criteria in Depressive Disorders

— Depressed mood (feeling hopelessness, sad, or empty)
— Irritability that is out of proportion in intensity or duration to the situation or provocation
— Markedly diminished interest or pleasure in normally enjoyable activities
— Consistent fatigue or loss of energy
— Persistent inability to concentrate
— Decrease or increase in appetite nearly every day
— Insomnia
Red Flags For Depression
— Cortisol (hormone)
— Impacts ability to reason
— Impacts ability to keep desires in check
— Chronic stress is damaging
  • Biologically reduces the ability to feel happy
  • Increases general anxiety levels
  • Memory loss
  • Early-onset dementia in adults
  • In kids, increases risks of heart attack and diabetes as adults
Take Home Points:

1. Our brains change

2. Pleasure ≠ Happiness

3. ↑ More instant gratification and stress = ↓ Less overall contentment
Types of Self-Care

**Tune Out – Short Term (Category 1)**

— Generally pleasure-seeking
— Stimulates reward pathway and dopamine production
— In excess, leads to addiction
— Examples: Binge watching TV or having a drink

• **Consciously choose these activities rather than default to them.**
Types of Self-Care

**General Upkeep (Category 2)**

- Basic needs/functioning
- “Adulting”
- Boring
- When ignored, they become time sensitive and unnecessarily stressful
- Examples: Doing your laundry or paying bills

- Proper planning helps reduce these self-made fire drills.
Types of Self-Care

**Proactive – Long Term (Category 3)**

- Generally stress reducing (i.e., lower cortisol levels)
- Helps the contentment pathway
- Activities you don’t want to start, but are happy you did at the end
- Examples: meditation, exercise, or seeing a therapist

- Critical activities that are often viewed as optional or delayed.
- Consistently engaging in these activities will improve our health and happiness.
In every moment, you are either:

Reinforcing a current pattern in your brain

OR

Creating a new one.
Mindfulness, Yoga, and Meditation
The Science of Mindfulness, Yoga, and Mediation

**Scientifically validated benefits**

— Decreases stress
— Enhances ability to pay attention
— Reduces symptoms associated with:
  • Depression
  • Anxiety
  • Insomnia
• **Leads to growth in brain areas important for peak performance as lawyers**
• **Reduces size of the amygdala**
## Categorizing Our Thoughts

<table>
<thead>
<tr>
<th>Time</th>
<th>Past</th>
<th>Present</th>
<th>Future</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Positive</strong></td>
<td>Past-Positive</td>
<td>Present-Positive</td>
<td>Future-Positive</td>
</tr>
<tr>
<td><strong>Neutral</strong></td>
<td>Past-Neutral</td>
<td>Present-Neutral</td>
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</tr>
<tr>
<td><strong>Negative</strong></td>
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Meditation

A practice of concentrated focus upon a sound, object, visualization, the breath, movement, or attention itself.
Meditation
Yoga

The ability to direct the mind exclusively toward an object and sustain that direction without any distractions.
Chair Yoga
Mindfulness

Being aware of or bringing attention to this moment in time, deliberately and without judging the experience.
Starting a Practice

**Start simple and small**
- 30 seconds to 60 seconds
- Frequency over duration

**Attach it to something you already do**
- Simple mediation
  - 5 breaths
- Add mindfulness to a daily task
  - washing your face
Starting a Practice

**Track your practice**
- Schedule book, post-it, apps
- 1 to 2 week check-ins

**Grow your practice**
- Increase the time of your meditation
  - from 5 to 10 breaths
- Add an activity to your mindfulness
  - include brushing your teeth
Starting a Practice

**Be patient and forgiving**
- Not failure, just pre-successful!
- Problem solve

**Mix-it up!**
- More exercises in the materials

**Build the practice that is right for you**
QUESTIONS?

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