

Ask Aliya: How to Become a Mindful Lawyer

Career Development





“Ask Aliya” is a column for lawyers who are the first legal hire at their company and need advice from an in-house lawyer who has been there before. Aliya Ramji is the director of legal and business strategy for Figure 1 Inc., a network used by more than 1 million healthcare professionals to share

cases and collaborate. To have your legal questions for startups answered, email aramji@figure1.com with "Ask Aliya" in the subject line.

Dear Aliya,

Given how busy in-house lawyers are, and the different things you need to anticipate, do you have any tips on becoming a mindful lawyer? What are the strategies of mindfulness that you've incorporated in your practice?

Irene

Dear Irene,

I have to say, I am fairly new to the practice of mindfulness. It took me a while to wrap my head around the idea of being mindful. I questioned whether it was useful, and beyond that, I questioned whether I had time for it. As analytical people, lawyers tend to approach the world through logic and reasoning. We hone these skills to the point where they become a part of our professional and personal identities. Our tendency to review everything with a fine-tooth comb penetrates all aspects of our lives. Sometimes I will be sitting in a product meeting analyzing products looking for worst-case scenarios before I even understand the problem the product is trying to solve. Aware of my tendency for dissection, I soon realized that the greatest obstacle to achieving a state of "mindfulness" was in fact my analytical self.

Mindfulness comes from the Buddhist tradition of bringing one's active and open attention to the experiences occurring in the present moment. Describing her own experience, Susanne Gabriele, a partner at Thomson Gabriele LLP and professional counselor for lawyers explains, "my analytical mind kept me anywhere but in the present moment. It had me reviewing the catalog of similar fact patterns from the past, and it had me trying to anticipate any number of future scenarios in efforts to protect my clients' interests. It rarely, if ever, kept me in the 'here and now,' which is exactly what the practice of mindfulness is about."

Given this context, are we all going to become the living embodiment of Buddha if we practice mindfulness? Unlikely. But here are some practical ways you can incorporate mindfulness into your legal practice:

> **Be present at meetings.** Not just physically present, but also engaged. As lawyers we have the tendency to be busy taking notes on everything we hear or analyzing the first thing we deem problematic. Take time to understand what's being put in front of you before asking questions.
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> **Be present with the people you are meeting.** Practice active listening. If you find this challenging, you might benefit from finding someone to listen to and be present with you.
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> **Sympathize but don't empathize.** No one comes to us during happy times (unless we work in real estate). As in-house counsel, clients usually come to us when contract negotiations turn sour, when employment law issues arise, or when it's time to litigate. Try not to completely lose yourself in a client's issue or suffering, but at the same time do not detach yourself completely.

Be kind to yourself. You may miss a legal issue, you may have to give in on certain negotiation points, and you may even lose a case. As lawyers we see things as wins and losses, but we must be careful not to internalize every aspect of our practice.

Meditate. Studies show that meditation decreases anxiety and stress. It reduces (and is an important part of the treatment of) depression and anxiety, among other disorders. Use meditation to center yourself and focus your attention on the present moment.

Mindfulness has never been more welcomed in legal professional circles. Orlando Da Silva, the former president of the Ontario Bar Association, emphasized mental and emotional health in the legal profession as part of his mandate. Jeena Cho and Karen Gifford authored a book for the American Bar Association titled The Anxious Lawyer. It's an introductory guide to anyone that's curious about mindfulness. I believe that mindfulness is useful and important — I often find myself listening more and better appreciating the big picture before forming my legal opinion.

Where do you begin? You already have, Irene. As Gabriele says, "There are resources for lawyers, more so than ever before, and we can learn more about incorporating these practices into our lives, but we won't find any of the answers until we start to believe in the power of our questions."

Good luck on your journey!

Aliya

If you're interested in learning more about mindfulness practices, read the ACC Docket *April feature article entitled "Creating a Mindful Workplace."*

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