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# DOCKET

*INFORMED. INDISPENSABLE. IN-HOUSE.*

## **Creating a Mindful Workplace**

### **Skills and Professional Development**





## CHEAT SHEET

- **Primary practice.** The primary tool used to practice mindfulness is meditation. It lowers stress, increases focus, and strengthens your awareness.
- **Waking up.** Research indicates that even a short mindfulness exercise every day can increase attention. The human mind is estimated to wander approximately half of our waking hours.
- **Thinking big picture.** Brief mindfulness training has been shown to significantly improve visuospatial processing, working memory, and executive functioning.
- **In the workplace.** A simple way to implement mindfulness practices is to start meetings with a few minutes of meditation. Google starts many meetings this way.

Companies are increasingly struggling to create a workplace where its employees can thrive and succeed. Digital devices and the constant need to stay connected are reducing the ability of employees from engaging in “deep work.”

This is especially problematic for in-house counsel who are juggling multiple important tasks and are being pulled into many different directions. Attorneys in particular need both the time and mental

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space to consider these challenging problems.

Mindfulness is one tool that companies are using to create a sustainable workforce.

Interest in mindfulness, defined as “present-centered attention and awareness” is surging. Companies that have adopted a mindfulness program for its employees include Google, LinkedIn, Facebook, General Mills, Intel, and the Seattle Seahawks, just to name a few.

Thirteen percent of US workers report engaging in mindfulness-enhancing practices and as of 2015, over 4,000 scholarly articles have been published on this topic.

Mindfulness has a positive impact on all arenas of human functioning. Research in psychology, neuroscience, and medicine shows that mindfulness affects attention, cognition, emotions, behavior, and physiology in positive ways. While most of the research has focused on the positive impact of mindfulness on the individual, a growing body of work in the management area also suggests that mindfulness is linked to better workplace functioning.

## **What is mindfulness?**

Mindfulness has its roots in Buddhist teachings. Dr. Jon Kabat-Zinn, a molecular biologist, started offering mindfulness training in the United States in the late 1970s as a therapeutic tool to help patients manage chronic illness.

Simply put, mindfulness means to pay attention, without preference, non-judgmentally. There are many ways the mind can be focused, but in the context of mindfulness, we’re describing “meta-awareness,” which is an apprehension of the current state of the mind that monitors focused attentiveness.

The practice of mindfulness stresses the importance of paying attention to the actual experience of what is happening in the moment. For example, let’s suppose you are having an upsetting conversation with a colleague about a missed deadline. There is layered psychological context to the conversation — negative self-talk, an impulse to lash out, emotions, etc.

With mindfulness, rather than reacting from this place, first, we instead recognize what is happening in the moment. You may notice your heart rate increasing, heat rising to the face, stomach tightening, and racing thoughts (i.e., “I can’t believe she’s doing this again! She always misses important deadlines and tries to blame it on me. She’s so irresponsible.”).

Having an awareness of these automatic reactions allows for distance from the stress-triggering stimulus, so that you can respond more appropriately. By pausing in the moment, and paying attention to the mental and physiological reaction, an individual can more easily choose how to best handle a challenging situation.

## **How to practice mindfulness**

The primary tool used to practice mindfulness is meditation. However, different people may mean different things when they use the term. While many meditation traditions come with philosophies, religious beliefs, rituals, and specialized equipment, the practice is simply a form of mental training. All of the many different meditation practices that exist, at their essence, boil down to the same thing:

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They are all means of settling and focusing the mind. By sitting quietly with your own mind day after day, you get to know it better.

One reason meditation can have such a powerful effect on people's lives is because our mind is one of the very few things we have the ability to control. We may not be able to control what happens to us, but by getting to know ourselves and our own thought patterns better, we can learn to control how we react to and process the events in our lives. Developing this ability changes how we experience life. We can retain inner strength and a sense of well being even in very difficult situations.

## Benefits of mindfulness practice

### Increased attention and focus

The human mind is estimated to wander approximately half of our waking hours. Mindfulness practice has been shown to reduce mind wandering while increasing attention and focus.

This makes sense given that the practice of meditation (the primary method of practicing mindfulness) is a concentration practice — focusing on the object of attention, for example, the breath. When you notice your mind has wandered away, you return it back to the object of attention.

Additionally, meditators are better able to direct their attention by reducing habitual allocation of attention. Again, this is a beneficial skill for workers — being able to notice when the mind has wandered away from the task at hand, and then redirecting our attention back to what's important.

Research indicates that even a short mindfulness practice can increase attention. "Interruptions leave a residue of attention (e.g., thinking about the prior stimulus rather than the present one) that can hamper subsequent performance. However, five minutes of mindfulness practice has been shown to reduce this residue on simple tasks."

Mindfulness also increases working memory capacity. Meditation is linked to creativity and divergent and convergent thinking, and better insight problem solving.

### Emotional regulation and empathy

Humans are driven by their emotions. With regular mindfulness practice, we learn to observe these feelings and also the narrative that accompany them. Additionally, we begin to see that our emotions have a lifecycle. Even uncomfortable and strong emotions such as anger will pass with time. Mindfulness allows us to recognize that these emotional states aren't permanent and learn to take a friendlier stance toward them. Mindfulness appears to shorten the emotional lifecycle and speed recovery from negative emotions.

Taking a non-judgmental stance toward ourselves in meditation has a ripple effect into our life. It's easy to become overly self-critical, and hold ourselves to unrealistic standards. By recognizing these habitual patterns, we can begin to take a more measured and appropriate stance. This then opens the possibility of taking a gentler stance towards others.

There is a specific meditation practice called *Metta*, where we wish ourselves and others well. A study from Stanford University found that after the Compassion Cultivation Training (CCT) program, a nine-week, twice daily compassion meditation, participants experienced reduced mind wandering for

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unpleasant thoughts and increased mind wandering to pleasant thoughts. In both instances, participants were found to have increased caring behavior for oneself and for others.

## Stress response

Perhaps the most studied impact of mindfulness is on the stress response. Mindfulness has been shown to dampen stress reaction (less elevated cortisol) as well as faster recovery to baseline levels (Brown, K.W. et al., 2012. Trait mindfulness modulates neuroendocrine and affective responses to evaluative threat. *Psychoneuroendocrinology*, 37:2037-2041).

Mindfulness has also been associated with neuroplasticity, including shrinking the amygdala whose primary role is processing memory, decision-making, and emotional reactions. Mindfulness training is also linked to alterations in brain regions associated with attention, memory, self, and emotion regulation (Fox, K. C. R. et al., 2014. Is meditation associated with altered brain structure? *Neuroscience & Biobehavioral Reviews*, 43: 48-73).

## Why should you meditate?

*Stress or anxiety management* — Many people begin meditation as a means of managing stress or anxiety, and perhaps this is an even greater motivator for lawyers than for others, since stress is such a defining aspect of our professional lives.

*Increasing focus and productivity* — Our computers, laptops, phones, iPads, e-readers, and myriad other devices can make us more productive, but they also enable continual interruptions. These never-ending sources of distraction can leave us frayed and can even undermine our fundamental ability to pay attention. Many professionals take up meditation as an antidote to help navigate the disruption that is part of the modern working world without sacrificing efficiency.

*Letting go of unwanted habits* — Meditation is often a crucial support for people who are giving up habits like smoking, overeating, and other behaviors that don't serve them well.

*Dealing with difficult events* — Tragedy strikes all of us at one point or another, and its timing is not something we choose. Dealing with a sad event or a challenging time in one's life is often the catalyst for beginning a meditation practice. Meditation can feel right at this time, both because it can be calming and soothing and because it can help us connect with the deeper questions that can arise in these situations.

*Seeking meaning and self-knowledge* — We all want to know why we're here and what our lives are about. This inquiry may come up as a need to understand our deeper purpose, or better define our values. We may feel we want to see reality more clearly, without the fog of neurosis and self-deception that we suspect separates us from the world as it really is.

Adopted from *The Anxious Lawyer*.

## Improves cognition

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In a 2010 study published in *Consciousness and Cognition Journal*, researchers assigned 24 people in the intervention group. They received four sessions of mindfulness meditation training. The control had 25 people, and this group listened to an audio book. Results indicated that both the mindfulness meditation training group and the control group showed an improved mood, but only the mindfulness meditation training group showed reduced fatigue and anxiety. Moreover, brief mindfulness training significantly improved visuospatial processing, working memory, and executive functioning.

Researchers concluded:

## Starting a meditation practice

As with physical exercise, you'll gain the many benefits of meditation through regular and consistent practice. It is best to meditate daily, if even for five minutes, than to sit for an hour once a month. Here is a quick guide to get you started.

Commit to meditating daily. Choose a timeframe that you can easily fit into your schedule. Start with five to 10 minutes per day and evaluate after a week.

Set a timer. There are many apps with different settings, bell sounds, and other features. One app is Insight Timer ([www.insighttimer.com](http://www.insighttimer.com)). You can also use your kitchen timer or the timer on your phone.

Find a comfortable position. You do not need to sit on the floor, or sit cross-legged. Simply sit on a chair, with both feet firmly on the ground, with your back comfortably erect. Once you've found a position, commit to it for the duration of the practice.

Close the eyes. You may choose to close your eyes, or gaze at a spot approximately three to four feet in front of you.

Bring your attention to the breath. Find a place in the body where you can notice the breath. This may be in the nostrils, in the back of the throat, in the chest, or in the belly.

Rest your attention. Once you've found an area where you can most notice the breath, place your attention on that part of the body.

Return your attention. Your mind will inevitably wander — to thoughts, worries, planning, daydreaming, etc. This is normal! When you notice your attention has drifted away, simply return to your breath.

“Our findings suggest that four days of meditation training can enhance the ability to sustain attention; benefits that have previously been reported with long-term meditators.”

## Reduce distractions

Training the mind to focus and concentrate is becoming more critical than ever in this 24/7 world where our attention is pulled in one hundred different directions at once. In a 2011 Harvard study, researchers reported that “brain cells use particular frequencies, or waves, to regulate the flow of

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information in much the same way that radio stations broadcast at specific frequencies. One frequency, the alpha rhythm, is particularly active in the cells that process touch, sight, and sound in the brain's outermost layer, called the cortex, where it helps to suppress irrelevant or distracting sensations and regulate the flow of sensory information between brain regions."

In this study, participants went through an eight-week mindfulness training program. At the conclusion of the eight-week program, those who completed the mindfulness meditation training "made faster and significantly more pronounced attention-based adjustments to the alpha rhythm" than those in the control group.

## Mindfulness at work

According to a [2015 New York Times article](#), Aetna has reaped significant benefits by offering mindfulness and yoga programs to its employees. More than 25 percent of the company's workforce of 50,000 participated in at least one class. Participants reported, on average, a 28 percent reduction in their stress levels, a 20 percent improvement in sleep quality, and a 19 percent reduction in pain. They also became more effective on the job, gaining an average of 62 minutes per week of productivity each, which Aetna estimates is worth US\$3,000 per employee per year. Demand for the programs continues to rise; every class is overbooked.

At Google, its mindfulness program, known as "Search Inside Yourself," has been so successful that it is now a stand-alone program offering three core benefits. First, it expands leadership capacity through increased effectiveness, decision-making capacity, and the ability to create positive culture. Second, it improves performance and collaboration through greater empathy and ease in relationships. Finally, it promotes greater emotional resilience, stress management, happiness, and job satisfaction — leading to fewer stress symptoms and sick days.

While extensive research has been done on the many positive benefits of mindfulness practice, studies regarding how such practices impact the company as a whole are still in their early stages.

## Implementing mindfulness programs at work

Mindfulness programs can be implemented in variety of ways within a company. It's important to start with the end goal in mind.

Many hospitals and universities offer an eight-week Mindfulness Based Stress Reduction (MBSR) program. Such programs may qualify for health savings account (HSA) spending. If your company has HSA or similar flex spending account, mindfulness programs can be one option. This can be part of a more comprehensive wellness program, as Aetna offers, which includes other benefits like yoga.

Using technology, there are many low cost options for offering meditation programs to your employees. Apps such as Headspace allow for flexibility and encourage employees to practice when it's convenient for them. The downside is that with the ever-increasing demand on your workforce, simply giving an app may not be sufficient to cement a regular practice. In fact, it can be seen as just another item to add to an already long to-do list.

In-office training is another option for rolling out mindfulness programs at the office. Such a program should always be voluntary. The content of the program can be tailored to meet the company's objective. For example, leadership skills, collaboration, decrease in stress/anxiety, or increase in

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focus. The benefit of in-office training is that it normalizes mindfulness practice at the office, and builds group cohesion.

As mentioned previously, you will only gain the benefits of mindfulness through regular and consistent practice. Whatever program you choose for your office, it's important to think long term and find ways to make mindfulness part of a daily habit.

One simple way to do this is to start meetings with a few minutes of meditation. Google starts many meetings this way. This allows everyone at the meeting to have a moment to breathe and let go of distractions. It can also help to foster clarity around what brings everyone together at the meeting.

Another suggestion is to have weekly "drop-in" meditation sessions. One Silicon Valley law firm, Hopkins & Carley, offers its employees an weekly, but optional, 30-minute guided meditation session.

If your company offers retreats or other company-wide conferences, you can fold in yoga or other movement-based mindfulness practices, or meditation.

Mindfulness programs can be one way to increase the wellness and performance of your team. It can build group cohesion, and lead to a healthier, and happier work environment.

## Further Reading

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