

# Lawyers Go Zen, With Few Objections

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6/18/2015



Charlie Halpern, the founder of the Berkeley Initiative for Mindfulness in Law, leads a group of Berkeley Law students in Qigong practice near the law school. Photo: Dan Carlin

By

Updated June 18, 2015 12:55 a.m. ET

Soft winds of change are rustling through the legal profession.

You can see it on the cover of a recent Louisiana Bar Journal, which featured a photo of an empty bench against a burnt-orange sky.

It has swept through University of Miami School of Law, whose students this year completed a homework project by deliberately losing an argument.



— ADVERTISEMENT —



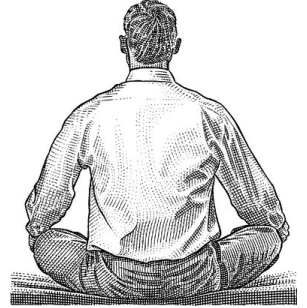


And this spring it breezed past a verdant bluff above the Hudson River, where dozens of law professors, litigators and judges spent three days meditating and pacing trails under a blanket of silence and the tutelage of a Buddhist priest.

It wasn't too long ago when attorneys were caricatured as Rambo types who scorched civility and professionalism to win at all costs.

But that was before the “mindfulness” movement.

A Zen-inspired blend of meditation, breathing exercises and focus techniques are in vogue in corporate America—championed by blue-chip employers like [Google Inc.](#) and [General Mills Inc.](#) as a simple but potent mind-sharpening tool.



Now, the movement is on the cusp of a more improbable breakthrough into the field of law.

Scott Rogers, founder and director of University of Miami's “Mindfulness in Law Program” says looser vibes have touched a nerve with younger generations—some of whom are turned off by the perceived nastiness in the profession.

“People are yelling at each other all the time,” says Mr. Rogers, a former commercial litigator who remembers the moment 15 years ago when he realized it's OK to recognize the humanity in opposing counsel.

Students who take his mindfulness courses earn up to three credits toward their law degree. They all have waiting lists, he says, including the one in which students are instructed to lose an argument. “It's not about losing a fight or giving up at all,” says Mr. Rogers. “It's developing greater insight in the ways we lose touch” with our impulses.

His law school is one of about two dozen across the country to incorporate mindfulness exercises into its curriculum.

Another one is nearby Florida International University College of Law, where students have bonded over an assignment requiring them to stare at themselves in the mirror for five minutes and say loudly, “I love me.”

As for more seasoned lawyers, the pressure to bill hours has never been more intense, the pace never more punishing. The result is high rates of attrition, depression and fatigue, according to some studies. The discontent has spawned a cottage industry of coaches bearing promises of relief.

Judi Cohen founded a mindfulness coaching firm last year after a 30-year career as a Bay Area real-estate lawyer. She named her company Warrior One, paying homage to the mystical warrior-kings of Tibet.

Her clients include the commercial law firm Fox Rothschild LLP and [Facebook Inc.](#)'s legal department, which invited her to stop by their annual retreat last fall in Half Moon Bay. She says Facebook's rapidly growing legal team was keen on unlocking secrets that could help them communicate better with fellow Facebook lawyers.

During a typical workshop, she asks participants to break into pairs and have a conversation in which they suppress the desire to interrupt or even consider a retort until the other person finishes his or her thought. Lawyers are also discouraged from judging their partners during the session.

Some exercises aim to cultivate empathy and understanding. Those can be challenging, including one in which lawyers pick out three random people during the day and silently wish them well.

“‘I didn't see anyone worthy,’” Ms. Cohen recalls a dejected senior attorney reporting back to her.

Most attorneys she trains walk in with an open-mind, even making a valiant, if not successful, effort to stow away

their phones during training.

But there are exceptions, including one prosecutor at the San Francisco district attorney's office—another one of her clients—who tried to poke holes in her philosophy. He posed questions like, "If mindfulness is just about paying attention, couldn't that make you a good assassin instead of a compassionate person?"

Some skeptics of mindfulness, like Manhattan criminal defense attorney Scott Greenfield, say they have nothing against stress relief but doubt that a regimen of meditation, daily affirmations and Qigong training will cure the ills of the profession.

Mindfulness, he says, "feeds the narcissism that being a lawyer should be fun, happy and pleasant."

Jeena Cho, a San Francisco bankruptcy attorney who also teaches mindfulness, says lawyers have asked her if they have to shave their heads or dress like a monk. "This isn't like joining a cult," she assures them. She says she committed herself to meditation after she started losing clumps of hair from all the anxiety she was feeling about work.

For some lawyers who have given it a spin, it's a way to clear their minds and find a new perspective.

Cari Rincker, a New York family and divorce lawyer, was among the more than 80 attorneys at a mindfulness retreat at the Garrison Institute, a Franciscan monastery-turned meditation sanctuary nestled on a hilltop near West Point on the opposite bank of the Hudson River.

Ms. Rincker spent hours walking back and forth in silence. "I forgot how nice it is to be outside and listen to birds chirp," she says of the retreat, which was organized by UC Berkeley School of Law's "Mindfulness Initiative."

For a handful of sleep-deprived attorneys, the sessions led to drowsiness—with the occasional snoring reverberating in the stained-glass adorned meditation hall. A Zen Buddhist priest advised those drifting into the land of Nod to try meditating standing up.

"It was a bunch of lawyers in a room and no one was talking," recalls Ms. Rincker. "I have to say it was quite refreshing."

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