

MINDFULNESS, MENTAL HEALTH, AND THE LIFE OF THE LAWYER

📅 Vol. 92, No. 1 January 2018 👤 Scott Rogers 📄 Featured Article



Lawyers, like many other professionals who serve the public good, can be subjected to hazards that take a toll on health and well-being. But, unlike other professions in which these hazards are obvious, the practice of law exacts its toll in ways that are hard to detect, and, for some, hard to accept. The data, however, is convincing, as the articles in this issue make clear. Most attorneys have experienced the perils of practicing law first-

hand, whether it be their own mental-health concerns or those of colleagues and peers.¹

While it has long been known that incidents of anxiety and depression run high among members of the legal profession, the bar, bench, and legal academy are mobilizing to tend to these mental-health concerns. The Florida Bar has been at the forefront of this endeavor, though executing on this challenge has never been easy. The Florida Bar's Special Committee on Mental Health and Wellness of Florida Lawyers is working to tender a comprehensive, yet accessible series of informational and practical tools to meet this need. The challenge is to identify a set of tools that are scientifically validated, effective, and compatible with the lifestyle of lawyers, judges, and law students. Once identified, these tools can be made available to lawyers so that they may utilize the ones of greatest value to them.

Mindfulness has emerged as one such resource. Mindfulness practices teach us ways of steadying our focus and being less tossed around while riding life's inevitable roller coaster of emotion. Unlike exercises that bring about momentary relief from stressful situations, mindfulness practice involves learning to cope more effectively and with greater resilience amid life's rocky moments. Moreover, science findings suggest that mindfulness practice can play a meaningful role in helping with mental illness. For

example, a recent meta-analysis of 47 clinical trials that involved mindfulness reported moderate evidence for improvements in anxiety, depression, and pain, noting that “effects are comparable with what would be expected from the use of an antidepressant in a primary-care population but without the associated toxicities.”²

Three mindfulness programs that have been found helpful to individuals grappling with mental-health issues are discussed below. These programs are worthy of special attention owing to the degree to which they have been researched and the number of people who have been helped.

All are eight-week programs that meet weekly for 2.5 hours and teach insights and exercises that are practiced in between classes.

Mindfulness-Based Stress Reduction (MBSR)

Mindfulness-based stress reduction (MBSR) is an evidence-based course that teaches mindfulness practices and skills to reduce stress, pain, anxiety, and other symptoms, and improve practitioners’ quality of life. The program was created in 1979 by Jon Kabat-Zinn at the University of Massachusetts Medical School and is regarded as the gold standard for mindfulness training, having been the subject of numerous clinical trials, and many peer-review journal articles. Kabat-Zinn explores the program in his classic book, *Full Catastrophe Living*.³

Mindfulness-Based Cognitive Therapy (MBCT)

Zindel Segal, Mark Williams, and John Teasdale developed mindfulness-based cognitive therapy (MBCT) through a McArthur Grant, a program initially designed for people with recurrent depression. Based on the MBSR model, MBCT combines cognitive behavior techniques with mindfulness techniques like meditation, breathing exercises, and mindful movement to help change the cycle of negative thoughts common with recurrent depression. It has been clinically proven for reducing symptoms and preventing future episodes of depression.⁴ A very readable and helpful book is *The Mindful Way Through Depression*, written by the researchers that developed the program.⁵

Mindfulness-Based Relapse Prevention

Mindfulness-based relapse prevention (MBRP) was designed to treat substance-abuse disorders. It integrates mindfulness meditation and cognitive-behavior skills specifically focused on helping patients learn to choose a reaction instead of automatically turning to an addictive substance. Studies have found MBRP treatment to help reduce drug use and lower the probability of heavy drinking.⁶

Another well-researched, mindfulness-based program that is helpful for working with mental illness is dialectical behavioral therapy (DBT). DBT was developed to treat chronically suicidal individuals diagnosed with borderline personality disorder and is regarded as a leading psychological treatment for this population.

Classes in MBSR, MBCT, and MBRP are offered throughout Florida and nationally. Cost for the program is generally in the several hundred-dollar range, and there are often scholarships. A growing number of online courses are available. If you would like to learn more about MBSR and MBCT, visit the Center for Mindfulness website at www.umassmed.edu/cfm. Information about MBCT can be found at www.mbct.com. To learn more about MBRP, visit www.mindfulrp.com. These sites are authoritative and will provide you with additional information about the programs, along with resources and listings of teachers in your area. DBT involves working with a specially trained therapist, and more can be found at <https://behavioraltech.org>.

More and more, we are learning about mental illness, its broad embrace, and the ways it can touch and seriously challenge the lives of our cherished friends, colleagues, and of ourselves. Mindfulness can be a helpful tool in the human being toolkit, and we hope this overview of scientifically well-regarded programs may be of help to you and members of our community.

¹ Krill, *et al.*, *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 *J. Addict Med.* 46-52 (Feb. 2016).

² Goyal *et al.*, *Meditation Programs for Psychological Stress and Well-being: A Systematic Review and Meta-Analysis*, 174 *JAMA Intern Med.* 357-68 (Mar. 2014).

³ Jon Kabat-Zinn, *Full Catastrophe Living: Using the Wisdom of Your Body and Mind to Face Stress, Pain, and Illness* (1990).

⁴ W. Kuyken, F.C. Warren, R.S. Taylor, *et al.*, *Efficacy of Mindfulness-Based Cognitive Therapy in Prevention of Depressive Relapse*, 73 *JAMA Psychiatry* 565 (2016).

⁵ Mark Williams, John Teasdale, & Zindel Segal, *The Mindful Way Through Depression: Freeing Yourself From Chronic Unhappiness* (2007).

⁶ Bowen, *et al.*, *Relative Efficacy of Mindfulness-Based Relapse Prevention, Standard Relapse Prevention, and Treatment as Usual for Substance Use Disorders: A Randomized Clinical Trial*, 71 *JAMA Psychiatry* 547-556 (May 2014).

Scott Rogers , M.S., J.D., is a nationally recognized leader in the area of mindfulness in law. He founded and directs the University of Miami School of Law's Mindfulness in Law Program, where he teaches mindful ethics, mindful leadership, and mindfulness in law. Rogers is the creator of Jurisight, one of the first CLE programs in the country to integrate mindfulness and neuroscience and conducts workshops and presentations on the role of mindfulness in legal education and across the legal profession.