

Course Syllabus

Mindfulness and the Legal Profession Course 6390 | MLAC 213

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August 15-19, 2022

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ZOOM LINK: <https://miami.zoom.us/j/3315931622>

CLASS SYLLABUS AND POLICIES:

Required Course Materials: *“Mindfulness for Law Students” by Scott Rogers (2009)*. As the textbook, “The Mindful Law Student” will not be released prior to the start of class, I will provide you with excerpts to inform our class discussion and assignments. Additional readings and learning materials will be made available in advance of the start of class on Canvas and distributed in class.

App: The “SoBe Mindful” app will be used in class. You will find instructions for downloading this app as an Announcement on Canvas in the days leading up to the start of class. If you run into any difficulties, please let me know. The app is free.

Guided Practices: We will listen to various guided recordings with lessons and mindfulness practices.

Class Schedule:

Monday	9:00AM -11:30AM via Zoom (all other classes in person)
Tuesday	Individual Practice
Wednesday	10:00 AM to 12:00 PM; 1:00 PM to 3:00 PM
Thursday	10:00 AM to 12:00 PM; 1:00 PM to 3:00 PM
Friday	10:00 AM to 1:30 PM; With Group BYO Lunch
Saturday	Optional Meetings: By Appointment
	Note: On Wednesday students will sign up for a convenient time for them meet with me in small groups after class on Wednesday, Thursday or Friday

Description of the Course: This course is one credit hour. Please note that ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in class instruction. Please be prepared to spend two hours preparing for every hour of in class instruction.

The role of mindfulness in law has become relevant not just to lawyers and judges personally, but to them as a matter of professional practice. National conferences have been held in the last fifteen years exploring the role of mindfulness in legal practice and education. For a decade the American Bar Association, the Florida Bar Association and numerous state and local bars have been offering lawyers, judges, law professors and law students programs that explore mindfulness and its relationship to practice forms, including trial practice, mediation, negotiation, oral advocacy, and collaboration, as well as fundamental tools for effective practice that include attention skills, listening skills, reflective capacity, empathy, emotional regulation, and ultimately, decision-making.

This course explores the ways that mindfulness may enrich one’s skill set in relationship to the many stimulating and challenging aspects of legal practice. Over the course of our week together, you will acquire a foundation level understanding of mindfulness practice, develop foundational tools to integrate mindfulness into your professional and personal lives, and appreciate the role of mindful awareness in the

deliberative and creative process of decision-making. Review of neuroscience research findings offer deeper insights into the underlying mechanisms of decision-making and behavior.

I have been a student of mindfulness for almost three decades, having been first introduced to contemplative practices while at the University of Florida School of Law. I regard my time at UF to be among the most rewarding in my life, and have found the study and practice of mindfulness to deeply enrich my life and love of the law, and look forward to sharing it with you and exploring it together.

Student Learning Objectives: After completing this course, students should:

1. Appreciate the connection between the cultivation of greater mindful awareness and the various ways it can enrich the study and practice of law.
2. Have a foundation level understanding of what constitutes mindfulness and the ways it relates to mindfulness practice, relaxation, concentration, compassion, and self-care.
3. Understand the science and research findings that report on the efficacy of mindfulness practices in areas that connect to a life in the law.
4. Acquire a basic understanding of the ways that mindfulness, both as a practice and set of insights, may facilitate greater self-awareness and focus, and the ability to more skillfully regulate emotions.
5. Have acquired the tools and experience to establish a regular personal practice that they can carry into the future in ways, and at times, that are meaningful and useful to them.

Instructional Methods: Class will consist of interactive lectures and discussions and in-class practice.

Office Hours: After class and by appointment. My cell phone number is 786-239-9318, my email is srogers@law.miami.edu, and the Zoom room link for zoom meetings is: <https://miami.zoom.us/j/3315931622>

COURSE POLICIES

Attendance: This is a compressed course. Attendance during all of the class hours is mandatory and your presence is important to meaningfully cultivate a practical and experiential understanding of the interrelationship between the study and practice of law and of mindfulness. If there is a reason why you must miss class, please contact me in advance via telephone or email and ask for an excused absence. Should you arrive late to class, you are responsible for ensuring that you are not recorded as absent. Depending on the circumstance, a student may be permitted to have an excused absence for 1 hour of class time. If you miss a class, you are responsible for finding out what you missed and obtaining any handouts or assignments. If for any reason you anticipate missing more than 20% of the class time, you are advised to withdraw before it is too late to do so. Please review the Student Handbook for further information regarding the attendance policy. The law school's policy on attendance can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>.

Attention to Detail:

As you will learn, mindfulness involves paying attention. Along with what you learn in class from the readings, your participation and practice, and class discussion, you can begin to develop your attentional skills by attending carefully to the content of this syllabus.

Class Assignments: A set of introductory readings is assigned for our first class with additional readings designated for each class that connect to that class' specific subject matter. Each day, beginning Wednesday students will turn in a 1-2-page reflection on the readings or class discussion, as explained in class. Please be prepared to allocate a portion of each day for practice, both formal (e.g. 15 minutes) and

informal periods throughout the day. Such engagement will enrich the learning experience, intellectually and experientially.

Course Workload and Preparation: Students should expect to spend at least two hours outside of class reading and preparing for every hour of class.

Laptop and Recording Policy: Unless instructed otherwise in advance, you may not use laptops, iPad, tablets, or cell phones during class, as their use will distract your classmates. Laptops are only permitted if needed for an assigned in-class presentation. Any in class lecture notes are expected to be taken by hand. Upon special request discussed in advance of the first class, an audio recording may be made available to you solely for personal educational use.

UNIVERSITY POLICIES

University Policy on Academic Misconduct

UF students are bound by The Honor Pledge, which states: “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: ‘On my honor, I have neither given nor received unauthorized aid in doing this assignment.’” The Honor Code (<https://sccr.dso.ufl.edu/students/student-conduct-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor.

University Policy on Accommodating Students with Disabilities

Students requesting accommodation for disabilities should register first with the Office of the Dean of Students (<https://www.dso.ufl.edu/drc/>). The Office of the Dean of Students will provide documentation to the student who then must provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments or taking quizzes or exams. Because accommodations are not retroactive, students should contact the Office of the Dean of Students as soon as possible in the semester for which they are seeking accommodation.

Etiquette: Communication Courtesy: All members of the class are expected to follow rules of common courtesy in all forms of communication, electronic and analog.

<http://teach.ufl.edu/docs/NetiquetteGuideforOnlineCourses.pdf>

Academic honesty: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

Online Course Evaluations: Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

GRADING POLICIES

Grading: This class is graded. The primary areas upon which grading is based, and their respective weightings are: class participation (35%), written assignments and practice observations (25%), and final paper (40%). Written reflections and survey responses will be between 1-2 pages, daily practice is between 5-15 minutes, and the final paper, will be between 8-10 pages (12 point, double spaced with 1/2 inch margins).

GRADING INFORMATION

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C (Satisfactory)	2.00
C-	1.67
D+	1.33
D (Poor)	1.00
D-	0.67
E (Failure)	0.00

The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

CLASS TOPICS AND ASSIGNMENTS

Date	Topic	Assignment For That Day
Monday 8/15	Mindfulness Overview and Roadmap; The Science of Mindfulness; Attention and Relaxation	Readings, Survey
Tuesday 8/16	No Class: Relaxation Techniques and Focused Attention Practice	Practice; Insights & Observations
Wednesday 8/17	Awareness, Creativity and Solitude	Readings; Writing Assignment; Practice; Insights & Observations
Thursday 8/18	Mindfulness, Connection, and Mental Health	Readings; Writing Assignment; Practice; Insights & Observations; Draft Personal Practice Schedule
Friday 8/19	Negotiation and Me-Gotations	Readings; Writing Assignment; Practice; Insights & Observations;

*This syllabus is subject to change, moment by moment – a reminder of the nature of life.

Information on Class Readings

The class readings will be prepared as a PDF and made available to students at least a week in advance of the first day of class. It will include excerpts from a book I am publishing with Elgar on mindfulness for lawyers and law students that will not be released until September and is solely for your personal educational use. Additionally, readings will be drawn from among the below, along with mindfulness columns from various bar periodicals.

- Brantley, J., "Cooling the Raging Fires of Anger," *Mindful Magazine* (April, 2016).
- George, J. S., "The Cure for the Distracted Mind: Why Law Schools Should Teach Mindfulness" 53 *Duq. L. Rev.* 215, (2015).
- George, B., "Mindfulness Helps You Become a Better Leader" (*Harvard Bus. Rev.* 2012).
- Gold, A., "Mindfulness: A Challenge for Our Times," *Dade-County Bar Association Bulletin*, (May 2012).
- Halpern, C., "The Mindful Lawyer: Why Contemporary Lawyers Are Practicing Meditation," 61 *J. Leg. Educ.* 641 (2012).
- Hyman, J. P., "The Mindful Lawyer: Mindfulness Meditation and Law Practice," 33 *Vermont Bar Journal* 40 (2007).
- Jha, A., & Rogers, S., (2019) *The Science of Mindfulness and the Practice of Law*, 36(3) *ABA GP Solo* 32.
- Kabat-Zinn, J., "Mindfulness for Beginners" (*excerpted portions*).
- Keeva, S., "Practicing From the Inside Out," 7 *Harv. Negot. L. Rev.* 97 (2002).
- Magee, R., "Educating Lawyers to Meditate? From Exercises to Epistemology to Ethics: The Contemplative Practice and Law Movement as Legal Education Reform," 79 *UMKC L. Rev.* 535 (2011). (*excerpted portions*).
- Morrison, A. B., Goolsarran, M., Rogers, S. L., & Jha, A. P. (2014). Taming a wandering attention: Short-form mindfulness training in student cohorts. *Frontiers in Human Neuroscience*, 7(897), 1-12. doi: 10.3389/fnhum.2013.00897. (*likely will be a "Science Daily" report on this research*)
- Riskin, L., "Awareness and Ethics in Dispute Resolution and Law: Why Mindfulness Tends to Foster Ethical Behavior," *S. Tex. L. Rev.* 493-503 (2009).
- Riskin, L., "Annual Saltman Lecture: Further Beyond Reason: Emotions, the Core Concerns, and Mindfulness in Negotiation," 20 *Nev. L. J.* 289 (2010).
- Rogers, S.L., McAliley, C., & Jha, A.P. (2018). Mindfulness training for judges: mind wandering and the development of cognitive resilience. *Court Review*, Vol 54, pp 80-89.
- Rogers, S.L., Mindfulness and the Importance of Practice 90 (4) *Fla. B. J* (April 2016)
- Rooks, J., Morrison, A. B., Goolsarran, M., Rogers, S. L., & Jha, A. P. (2017). "We are talking about practice": the influence of mindfulness vs. relaxation training on athletes' attention and well-being over high-demand intervals. *Journal of Cognitive Enhancement*, 1(2), 141-153. doi:10.1007/s41465-017-0016-5. (*likely will be a "Science Daily" report on this research*)
- Rogers, S., (2019). "Mindfulness, Mental Health and Wellness," 36(3) *ABA GP Solo* 12.
- Scott, C., "Mindfulness in Law: A Path to Well-being and Balance for Lawyers and Law Students" 60 *Ariz. L. Rev.* 636 (2018).
- Singer, M., "The Untethered Soul"
- Singerman, P.S., "The Return on Investment from My Study and Practice of Mindfulness," 90 (4) *Fla. B. J* (April 2016)
- Tropin, H., "Meditation and Controlling the Inner-Mongo," *DCBA Bulletin* (April 2012).
- Rogers, Readings from *ABA Journal* and *Florida Bar Journal*,