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## **Experimentations with Mindfulness and Gratitude Practice in My Legal Writing Classroom**

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# PROCEEDINGS

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## EXPERIMENTATIONS WITH MINDFULNESS AND GRATITUDE PRACTICES IN MY LEGAL WRITING CLASSROOM

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Three years ago, I attended my first Western Regional Legal Writing Conference at Santa Clara University School of Law. I was brand new to teaching legal writing, only about a month into my first year of classes, and I was inspired by the creativity and focus on student learning that seemed to drive my new colleagues.

One presentation stood out to me: “Making Mindfulness a Part of the Legal Writing Curriculum: ‘If a Lawyer Isn’t Happy, What’s the Point?’” by Professors Katherine Brem and Lauren Simpson at the University of Houston Law Center. The presenters demonstrated how they start their legal writing classes with a mindfulness activity, and they explained some of the benefits of a mindfulness practice, including reduced anxiety and heightened wellness within their classrooms.

Although I am not a mindfulness expert, I do have anxiety myself and after a month of being in the classroom I was keenly aware of the tremendous pressure my first-year law students were under. So, I decided to take these professors’ advice and try a “mindfulness minute” in my classroom once a week. The response from my students was overwhelmingly positive. Since then, I have continued the mindfulness practice in my classroom each year, and I

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have also experimented with adding a gratitude practice to my classroom.<sup>2</sup>

### **Why Mindfulness?**

From both anecdotal experience and research, we know that law school is stressful for students. If students do not learn healthy coping mechanisms for that stress, they may develop problems with drinking, depression, anxiety, and suicidal thoughts later in law school and as practicing attorneys.<sup>3</sup>

Mindfulness can serve as a healthy coping mechanism students can practice and develop now to better handle stress in the future. Specifically, mindfulness can:

- increase positive feelings, brain functioning, the capacity for self-awareness, and ethical behavior;
- improve attention and learning in the classroom;
- help law students be more emotionally intelligent; and
- reduce anxiety.<sup>4</sup>

These skills are obviously helpful within the classroom, but they will be just as important as students transition from law school to the legal profession.

### **Mindfulness Minutes**

While there are many ways to incorporate mindfulness practice into a law student's life, our packed curriculum does not usually allow us to devote significant time to mindfulness in a legal

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<sup>2</sup> For additional ideas and approaches, see Shailini J. George, *Easy Ways to Incorporate Mindfulness in the Legal Writing Classroom*, 29 *The Second Draft* 34 (Fall 2016) and Rosario Lozada, *Cultivate a Community in the Classroom: Lead with Values, Vulnerability, and Gratitude*, 28 *Persps.* 5 (2020).

<sup>3</sup> See Yamilett Lopez, *Mental Health, Substance Abuse, and Wellness in the Legal Profession: Change is Necessary*, Marquette Univ. L. Sch. Fac. Blog (Oct. 17, 2018), <https://law.marquette.edu/facultyblog/2018/10/mental-health-substance-abuse-and-wellness-in-the-legal-profession-change-is-necessary/>.

<sup>4</sup> Teresa Kissane Brostoff, *Meditation for Law Students: Mindfulness Practice as Experiential Learning*, 41 *L. & Psych. Rev.* 157, 165 (May 31, 2017).

writing classroom. But having a mindful arrival practice or a “mindfulness minute” is an easy and quick way to expose students to mindfulness.

I base my mindfulness minute on the ones Professors Brem and Simpson modeled. At the very beginning of class, I set a timer for one minute and ask students to take that minute to arrive in our space. I tell students that they can close their eyes or take deep breaths if they want. I also ask them to acknowledge and let go of any nagging thoughts such as worries about mounting to-do lists or despair over a cold call gone wrong in the last class. I do not lead my students in a guided meditation, but you could do so.<sup>5</sup>

I encourage you not to let your inexperience with mindfulness hold you back from trying this activity. You do not have to be an expert to do this! As Angela Sordi has eloquently explained

[t]he point [of mindfulness] is not to try to achieve a particular state of mind such as happiness or contentment (although they tend to be the byproducts of mindfulness) but to simply be present with whatever arises in your mind. It can be about breathing, sitting, walking, eating, or standing while simultaneously observing mental events as they arise—you are asked to notice your thoughts, emotions, bodily sensations, sense perceptions and daydreams.<sup>6</sup>

So, during this minute with your students, your only goal is to help them notice what is going on in their mind, acknowledge that

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<sup>5</sup> For an example of what an arrival practice looks like at the beginning of a high school class, see Mindful Schools, “Arrive” - *A Mindful Minute Helps Students Arrive in the Classroom*, YouTube (Aug. 29, 2017), [https://www.youtube.com/watch?v=u3jBjSs\\_cpk](https://www.youtube.com/watch?v=u3jBjSs_cpk).

<sup>6</sup> Angela Sordi, *Can Lawyers Achieve Work-Life Balance in Only Two Minutes a Day?*, *Practice Points*, American Bar Ass’n (July 28, 2017), <https://www.americanbar.org/groups/litigation/committees/mass-torts/practice/2017/mindfulness-for-lawyers/>.

without judgment, and return to the present moment with renewed focus on the classroom and learning activities.

Aside from the content of the mindfulness minute, the other consideration is how often to use it. I typically teach two classes per week for each section, and for the last three years, I led a mindfulness minute during the first class of the week. As Professor Brem suggested in her presentation, you can come up with a fun name for this practice such as “Mindfulness Monday” or “Wellness Wednesday,” depending on the day you teach and your ability to create alliterations. This year, I decided to do a mindfulness minute at the beginning of each class period. Of course, you could also do mindfulness minutes less frequently, but targeted to more stressful times throughout the year.

Whenever you choose to do them, you can personalize the mindfulness minutes to your students. At the beginning of each year, I have students fill out an introductory survey and ask them their favorite place to visit. Then, throughout the year, I put up pictures of those favorite places as the background slides during our mindfulness minutes, which they appreciated.

### **Gratitude Practice**

Last year, I decided to experiment with another form of mindfulness in my classroom: gratitude. Like mindfulness, gratitude has tangible benefits for people who practice it regularly. Robert Emmons, a professor of psychology at the University of California, Davis, has found that gratitude practice produces the following benefits:

- Keeping a weekly gratitude journal makes you more likely to feel better about your life as a whole and be more optimistic about the coming week.
- People who keep gratitude lists are more likely to make progress toward important personal goals.

- Daily gratitude practice can help young adults have higher alertness, enthusiasm, determination, attentiveness, and energy.<sup>7</sup>

Clearly, these benefits could be especially helpful to busy law students and attorneys, especially if we view these practices as ways to combat depression and substance abuse within the lawyering community.

In my classroom, I designed the gratitude practice as a journaling activity at the start of the second class each week. Like the mindfulness minute, I gave students about a minute to write down at least one thing they were grateful for during the week. I asked students to use the same electronic file or notebook page each week so that all their “gratitudes” stayed together.

At the end of the semester, students completed a graded reflection where they could respond to one of two prompts. To gain feedback on my gratitude activity, I included a prompt about the gratitude journal.<sup>8</sup> First, I asked students to read a short article by Maanvi Singh on the benefits of keeping a gratitude journal,<sup>9</sup> which explores both the positives of gratitude journaling and the negatives. Then, I asked the students to review their list of gratitudes and reflect on what kinds of things they were grateful for this semester, whether they enjoyed keeping the list of gratitudes, and whether they would consider extending this practice into the next semester or longer, on their own.

Overall, about 20% of my students chose to answer this prompt. In the reflection responses, I received both positive and negative feedback from students. One student explained that

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<sup>7</sup> Robert Emmons, *Gratitude and Well-Being: Summary of Findings*, Gratitude Works, <https://emmons.faculty.ucdavis.edu/gratitude-and-well-being> (last visited Dec. 29, 2022).

<sup>8</sup> The second prompt asked students to reflect on their reasons for coming to law school and how law school, so far, had furthered, frustrated, or made them question those goals.

<sup>9</sup> Maanvi Singh, *If You Feel Thankful, Write It Down. It's Good For Your Health*, NPR (Dec. 24, 2018), <https://www.npr.org/sections/health-shots/2018/12/24/678232331/if-you-feel-thankful-write-it-down-its-good-for-your-health>.

looking over the gratitude list allowed them to have perspective on mental health challenges they experienced throughout the semester, notice issues of imposter syndrome that arose for them, and recommit to healthy habits. Other students stated that they enjoyed the opportunity to relax, breathe, and reflect in class (even if they were “forced” to participate) and that the practice encouraged them to reflect on personal health and emotional needs, relationships that were important to them, and why they came to law school. But some students did not like the activity. One noted that it sometimes prompted them to compare themselves to others, which did not feel good. Another explained that some weeks they could not come up with anything to be grateful for and that led them to feel embarrassed and to consider the activity just performative.

If I do this activity again, I will better prime the students for the gratitude journal by assigning some readings or videos on gratitude before our first journaling activity. The University of Washington’s Center for Child and Family Well-Being produces many excellent videos and articles about mindfulness and gratitude, including a video called “Introduction to Gratitude,”<sup>10</sup> where Natalia Esquivel Silva explains that gratitude practice is helpful in increasing resilience and balance by counteracting the brain’s natural negativity bias. She also leads a thirty-second exercise called “Savoring the Good,” which can help rewire your brain to notice and be aware of positive experiences and provides links to additional guided gratitude practices.

### **Student Reactions**

Although some students did not enjoy the gratitude journaling, the responses to the mindfulness activities were overwhelmingly positive in my mid-semester feedback survey and

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<sup>10</sup> Natalia Esquivel Silva, *An Introduction to Gratitude*, University of Washington Center for Child & Family Well-Being (Oct. 2021), <https://ccfbw.uw.edu/resource/introduction-to-gratitude/>.

formal course evaluations. Here are representative samples of the comments that I received from students:

- “I really enjoyed our Mindfulness Minute in the class each Wednesday. It was a great way to center myself on what was my busiest day of the week.”
- “I found that time [for a mindfulness minute] to be useful because it helped me to calm myself and focus during the lecture.”
- “I loved doing Mindful Wednesday and Gratitude Friday. They were so helpful in getting my mind right.”
- “I loved the gratitude journals and the mindfulness minute[;] it meant a lot for the teacher to assert that we are still people with human needs.”

I encourage you to try mindfulness minutes or gratitude journaling in your own classroom and to share your experiences. Incorporating these mindfulness activities into the legal writing curriculum can be quick, simple, and beneficial to student well-being.