



Page 26

The Return on Investment from My Study and Practice of Mindfulness by Paul Steven Singerman

I was on a gurney in the hospital having been prepared for a major surgery. The surgeon, whom I had met only briefly before the procedure, greeted me and told me that I should feel completely comfortable because she was 53 percent present and feeling ready to perform my surgery.

On another day, after nearly a year of pretrial motion practice and discovery in a “bet-the-company” case, my trial judge took the bench and announced that he was prepared to proceed with opening statements and the trial, and that he wished both sides to know that he had read 53 percent of our respective submissions and was prepared to proceed.

Thankfully, neither of the incidents described above occurred. But they could have. An oft-cited Harvard University study from 2010 confirms that most of us are “off task,” i.e., not focused on what we are doing or supposed to be doing in the present moment about 46.7 percent of the time. This data is very impactful to me.

Perhaps one of the most valuable benefits from the study and practice of mindfulness that I have enjoyed is developing a greater awareness of when I am off task. I have found it immensely useful — and sometimes absolutely frightening — to be aware of when I am regretting the past or worrying about the future. Only with the enhanced awareness of when I am not in the present can I make an effort to return to the present — the only place I can make a difference and the place that contains all the data — free for the observation of it — that allows me to be more knowledgeable and powerful in advancing my mission. To be sure, while the mission may be my professional life and client service, it is equally as effective in my personal life and in my personal relationships. How many of our friends, family members, spouses, and partners wouldn’t appreciate our being more present and observant in our interactions and conversations with them.

For the “tough guy” and “tough gal” lawyers reading this who may reject the notion of studying and practicing mindfulness for fear that it is inconsistent with the “tough” image, try this: Many people, myself included, believe that knowledge is power. Knowledge is derived from data. I know that I am better at observing and collecting data when I am focused on the present. I believe that we lawyers can perform better in all of our endeavors — both personal and professional — if we collect and process data with a greater sense of awareness, and I

The Return on Investment from My Study and Practice of Mindfulness (continued)

believe that the study and practice of mindfulness allows me to do that. I would want my surgeon or the judge presiding over my client's bet-the-company case to be completely present and focused on my cause, getting 100 percent of the available data — not 53 percent.

For those who remain skeptical about the performance-enhancing benefits of the study and practice of mindfulness, take just a few minutes to investigate the number of Fortune 100 companies in multiple sectors, including Aetna and Nike, which offer mindfulness training. Various branches of the U.S. military offer mindfulness training as well. So, too, does the Seattle Seahawks; NFL players are rarely accused of being “soft.” These companies and organizations are not offering mindfulness training to be nice; they are doing it to enhance the performance of their employees, soldiers, and players. They are doing it to enhance the return they are making on their investment of financial or human resources in their respective organizations.

In my few years of studying and practicing mindfulness, I have averted innumerable problems in my personal and professional life by increasing my awareness of data in the form of my own personal thoughts and feelings in the moment, data regarding my counter-party(ies) in an interaction, and data regarding the environment in which I find myself.

The study and practice of mindfulness has changed my life profoundly and for the better. I am grateful to my friends, former federal district court Judge Alan Gold and Professor Scott Rogers, for introducing me to the study and practice of mindfulness and to other thinkers and writers on mindfulness.

If I have succeeded in piquing your interest — even a little — then please invest the time to read this extraordinary edition of The Florida Bar Journal. I promise the return on that investment will be high. Then keep reading and start your own mindfulness practice. It will take work, and it truly will enhance your personal and professional performance.

To be sure, I have a very long way to go. The study and practice of mindfulness has made it easier for me to be aware of that, too.

Paul Steven Singerman is a partner in the Miami office of Berger Singerman LLP.