

## An Expert Just Beginning



By Courtney B. Schulnick

By now, you probably have heard of mindfulness. Although it has been around for a very long time, its popularity has significantly grown in the Western world in the last decade. Thanks to meditation apps, such as Headspace, Calm, and Insight Timer, people now can listen to guided meditations from just about anywhere, anytime, despite all the busyness of our lives. As a mindfulness teacher and litigator, I have noticed, especially in the last year, how the legal community has increasingly embraced mindfulness practices to obtain some ease and learn skillful ways to cope with stress and anxiety.

If you don't know what mindfulness is, put quite simply, mindfulness is awareness in the present moment. In the fast-paced world that we live in, we often get caught up in a mode of constant doing, and, as a result, we miss out on many of potentially meaningful moments in our lives. Moreover, as lawyers, we have a strong tendency to reflect on past situations or interactions for guidance on how to handle current situations, or we may worry about the future outcome of cases or dealings with clients, which can also cause us to lose touch with what is right here, right now. But a regular practice of mindfulness meditation can help us to become more aware of when we are lost, and in that moment, we can make the choice to show up for our life experiences.

Common misconceptions about meditation include: "I can't do it because my mind is too busy," or "I just can't clear my head." But with mindfulness, we're not looking to clear our

heads or even change ourselves in any way. Rather, mindfulness is all-inclusive and teaches us that we have the inner tools to work with what is, just as we are, in this very moment. This can include all of our thoughts, emotions, and body sensations, even when they are unpleasant. As our practice develops, we gain a better understanding of our minds and this, in turn, can help increase resilience to both our personal and professional challenges.

We can deepen our present-moment awareness with the attitude that we bring to the practice. Jon Kabat-Zinn, the creator of the Mindfulness-Based Stress Reduction (MBSR) Program, identified the following nine “attitudinal foundations,” which can be cultivated through the practice of mindfulness: (1) beginner’s mind, (2) non-judging, (3) acceptance, (4) letting go, (5) trust, (6) patience, (7) non-striving, (8) gratitude, and (9) generosity. While each can be of great benefit in the work that we do as lawyers, given that the season of spring has just begun, it seemed like an opportune time to discuss the importance of having a beginner’s mind.

As lawyers, we are essentially problem-solvers 24/7, constantly identifying legal issues, creating defense strategies, and ultimately resolving or possibly litigating our cases. Given all of the fixing and resolving that we do on any given day, let alone throughout the lifespan of our cases, one can appreciate how easily we can get cognitively “caught-up.” In all of our doing, we can get pigeon-holed in our thought processes and believe that we are the experts and, therefore, know what the outcome of a particular situation should be. This type of mindset can cause us to overlook subtle, yet profound, details unique to each of our cases. As Jon Kabat Zinn explains in “Full Catastrophe Living,” too often our thinking and beliefs about what we know prevent us from seeing things as they really are.

But we can avoid this trap if we cultivate a beginner’s mind—a mind that is willing to see everything as if for the very first time. Just as no single moment is the same as any other moment, the same holds true for each of our cases. Approaching each case, client, and situation with a beginner’s mind allows us to be receptive to new possibilities and prevents us from getting stuck in the rut of our own expertise, which often makes us think we know more than we do. As best stated by **Shunryu Suzuki Roshi**, “In the beginner’s mind, there are so many possibilities; in the expert’s mind, there are few.”

One personal example of how having a beginner’s mind helped me to get “unstuck” was when I had a deposition scheduled with a notoriously difficult lawyer. In one of my previous cases with this particular lawyer, he objected to what seemed like almost every question I posed to his client, I had to deal with a disgruntled deponent, and the deposition lasted for what felt like days. Fast-forward to when I woke up on the morning of the deposition in my more recent case: I played out the entire day in my head, convincing myself that the day would unfold just as it had in our previous deposition together. I began to notice the muscles in my neck tighten, my heart beat rapidly, an achiness in my stomach, and there I was, still just lying in my bed—I hadn’t even had my morning cup of coffee yet!

When I arrived for the deposition later that morning, I experimented with cultivating a beginner's mind. Rather than allow my turbulent past with this lawyer and my preconceived thoughts and opinions cloud my experience that day, I looked at him with a set of fresh eyes. To my surprise, we actually got along fairly well that day, the deponent was cooperative, and the deposition ended at a reasonable hour. While it is completely normal for our minds to get caught up in worry of the future or rumination of the past just as mine did that day, cultivating a beginner's mind can help us hit the refresh button so-to-speak and open more fully to each new moment.

I encourage you to try bringing a beginner's mind to the moments of your life. You may notice the ways in which you can free yourself of the traps that otherwise go unnoticed when we are stuck in a mode of constant doing. If you are interested in cultivating a beginner's mind in a formal practice, I invite you to listen to my guided meditation at [https://youtu.be/\\_uco3\\_jpMwc](https://youtu.be/_uco3_jpMwc). And for more information on mindfulness or to obtain additional resources, please visit my website <https://www.courtneyschulnickmindfulness.com/>.



*Courtney B. Schulnick*, special counsel in Marshall Dennehey Warner Coleman & Goggin PC's casualty department in Philadelphia, litigates cases in both state and federal courts. In an effort to better manage her anxiety and the stressors associated with litigation and life in general, she enrolled in the MBSR Program at the Mindfulness Institute at Jefferson University. She completed both the Teaching Practicum and Internship at Jefferson. Courtney now pursues her passion of helping others by teaching Mindfulness so that they, too, can live more fully in the present moment and achieve greater balance, vitality, and health.