

***“The results of the CBMT© program showed immediate benefits.  
After only four weeks, a big difference could be seen within the organizational teams.  
All participants reported improved ability to focus, increased productivity,  
better cooperation and less stress.***

– Halldor Machholm, Head of Risk Management, IF Insurance Denmark

#### ABOUT CORPORATE BASED MINDFULNESS TRAINING

The Potential Project has developed the Corporate-Based Mindfulness Training Program (CBMT) in order to meet the specific challenges corporate life has. CBMT is a tailor-made solution for busy people with little time and high ambitions.

#### CREDITS AND NOTES ON THE REFERENCED RESEARCH

The full list of the references can be obtained from [jens.nasstrom@potentialproject.com](mailto:jens.nasstrom@potentialproject.com). The bulk of the research in the column ("Benefits") was graciously provided by Martin Ström, Maria Ström and Potential Project. The majority of the citations in the left column ("Challenge") are studies made on lawyers, while the dearth of research on the positive effects of mindfulness on lawyers specifically made it impossible to provide such references in the column "Benefits." However, efforts have been made to exclude studies on groups that obviously are problematic to compare to lawyers, such as populations under clinical care.

# Capitalizing on hidden potential

A research review on the benefits  
of mindfulness in lawyering



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# Benefits on mindfulness in lawyering



## Efficiency

### Challenge

High productive turnover with impeccable quality is a hallmark of the organizational culture in prominent law firms. Unsurprisingly, this is strongly correlated with individual career success among lawyers. While the intense pressure to uphold such performance is a stimulating challenge, it can also push keystaff into harmful and counterproductive levels of stress.

### Benefit

The ability to maintain focus and manage energy on the one hand, and regulate stress and negative thoughts and emotions on the other hand, are thought to be some of the factors behind the increased efficiency correlated with mindfulness in several studies (Kozlowski & Salas, 2010, Banish, 2009, De Gray Birch, 2012, Shao & Skarlicki, 2009).



## Communication and social skills

### Challenge

The ability to listen to the client is the basis for understanding him and his case; including his motives and emotional state (Portnoy, 2000). Social skills has been found to be a common trait among successful lawyers (Shneidman, 1984). Interpersonal skills has been correlated with top performers in Bell Lab (Kelley & Caplan, 1993).

### Benefit

In a study by Olsen (2010), 77% reported "strongly improved relationships within the team." Riskin (2002) pioneered the discussion on the potential value of mindfulness in lawyer's work with clients. The interpersonal gains for lawyers have been outlined in studies by Codiga, 2002; Freshman, Hayes, & Feldman, 2002; Keeva, 2002 General Mills, 2010; Shapiro et al., 1998; Dekeyser et al, 2008.



## Focus, persistence and multitasking

### Challenge

Mind wandering is major threat to the qualitative and quantitative output of knowledge workers such as lawyers, and it is boosted by the constant interruptions inherent in their working environment. One study found mind wandering occurring in 46,9% of the time in a general population (Killingsworth and Gilbert, 2010). The strongest predictor of career success for lawyers is by some authorities identified as conscientiousness – not intellectual brilliance, school rank, law school rank, or grades (Goldberg, 2007; Henderson, 2008).

### Benefit

Multiple studies have replicated the positive effects on focus, persistence and multitasking of mindfulness (Schmertz, Anderson, & Robins, 2009; Evans, Baer, & Segerstrom, 2009; Hodgins & Adair, 2010 Moor & Malinowski, 2009; Specca et al. 2000; Bishop et al, 2004; Posner & Peterson, 1990; Chambers, Lo, & Allen, 2008; Jha, Stanley, Kiyonga, Wong, & Gelfand, 2010; Tang et al, 2007; Slagter et al, 2007; Moore & Malinowski, 2009; Zeidan et al, 2010; Maclean et al, 2010 Valentine & Sweet 1999; Jha et al, 2010).



## Negotiation and mediation

### Challenge

Negotiating is an integral part of a lawyer's everyday work and occurs formally or informally with e.g. clients and opposing counsels but also one's own partners, paralegals and secretary (work priorities, deadlines etc.). Mediation is also an important skill, with the potential of quicker resolution at a lower cost than litigation.

### Benefit

There is a growing body of research and papers on the positive correlates on mindfulness and negotiation, dispute resolution and mediation in lawyering including Riskin, 2002; Codiga, 2002; Freshman, Hayes, & Feldman, 2002; Keeva, 2002; Riskin, 2004; Ellinghausen, 2006; Rock, 2004 and Freshman, 2006.



## Leadership skills

### Challenge

Successful lawyers get higher scores on leadership (Shnediman, 1984), and in surveys in law firms greater leadership skills consistently get top priority when staff is asked for suggestions on improvements in the organization (Näsström, unpublished).

### Benefit

Great improvement in quality of decision-making and listening attentiveness in leaders was found by General Mills (2010). Boyatzis & McKee (2005) concluded that mindfulness "is actually essential for sustaining good leadership" (p. 114).



## Emotional exhaustion

### Challenge

Increased levels of emotional exhaustion among Swedish lawyers was found by Näsström & Mesick (2005). This precedes burnout and is followed by cynicism, decreased efficacy (Maslach, 1982; Maslach et al., 1996; Maslach & Leiter, 1999), but also poor professional attention to clients and colleagues among lawyers (Maslach, 1982).

### Benefit

According to Hülshager, Alberts, & Lang, (2012) and Weinstein, Brown, & Ryan (2009), mindfulness diminishes emotional exhaustion which indicates reduced risk for burnout.



## Stress and related sick leave

### Challenge

High and harmful levels of stress among lawyers is well established (Daicoff, 1997; Elwork & Benjamin, 1995; Elwork, 1997; Näsström & Mesick, 2006). In 2004, almost half of the health insurance cases for lawyers in Sweden were stress related (Hellberg, 2004). 48% of the long term sick leave among Swedish lawyers was the same year due to "psychological problems" (Swedish Bar Association, 2004) – which is often associated with stress and related burnout.

### Benefit

The stress relieving effects of mindfulness have been thoroughly replicated (e.g; Chisea & Seretti, 2010; Klatt, Buchworth, & Malarkey, 2008; Astin, 1997; Bränström et al., 2010; Nyklík & Kuipers, 2008; Oman et al., 2008; Shapiro et al., 2005; Specca et al., 2000; Williams et al., 2001). After only eight weeks on mindfulness a 25% reduction of stress levels was found in one study (Gaden Jensen, working paper) and a 76% reduction sick leave days in another (Barrett et al, 2012).



## Aggression & cynicism

### Challenge

Cynicism increases in law school (Anderson, 1973). Less successful lawyers have been identified as more hostile and frustrated (Shneidman, 1984). Heart disease and premature death among lawyers are strongly predictive by cynicism, chronic anger and aggressive behavior (Barefoot et al, 1989).

### Benefit

Up to 40% reduction of aggression was identified by Davidson et al (2003), similar deductions has been made by Adock, 2005; Anderson et al., 2007; Heppner et al., 2008; and Saavedra et al, 2010. An increase in emotional stability was found by Carlson (2005) while Shneidman (1984) concluded that emotional stability is important for life-long success of lawyers.



## Staff turnover

### Challenge

Staff turnover in the industry is notoriously high. Law firms lose in average almost one fifth of their associates every year (Williams, 2008), and 37% of associates at big law firms leave the firm after three years of practice (Jones, 2006). Talent loss aside, associate turnover was calculated in one Canadian study (Catalyst, 2005) of more than 1,400 lawyers to average \$315,000 (in relative terms, twice the average associate's annual salary). Another review estimated attrition costs to 150-200% of the salary of each attorney (Project for Attorney Retention, 2000).

### Benefit

Decreased staff turnover was found by Pomaki et al (2010), Karantzas (2012), and Narayanan et al (working paper). This will counteract the negative effects of staff turnover in the law firm including lost productivity during the vacancy, including the team and managers who cover for the vacant position; as well as those who train the new hire; increased labor costs due to overtime or contractor needs; hiring and onboarding costs; decreased customer satisfaction; increased future turnover; and, loss of institutional knowledge (Saratoga, 2006).



## Psychological well-being

### Challenge

American lawyers ended up at the very top of three studies on the prevalence of depression among various occupations (Sweeney, 1998, and Verma, 2008), including one that covered 104 professions (Eaton, Mandel, and Garrison 1990). By contrast, happy workers get higher performance ratings, get more work done, deliver more sales, have fewer sick days, and perform better as leaders (Lyubomirsky et al, 2005).

### Benefit

Positive effects on psychological well-being/happiness has been correlated in several studies, such as Brown and Ryan (2003). Studies supporting the redeeming effects on depression include Foley, Baillie, Huxter, Price, & Sinclair, 2010; Jimenez, Niles, & Park, 2010; Anderson et al., 2007; Grossman et al., 2010; Koszycki et al., 2007; Sephton et al., 2007; Shapiro et al., 1998; Specca et al., 2000; Bränström et al., 2010; Nyklík & Kuijpers, 2008.