

Teaching Mindfulness in Class, Bringing Mindfulness to Life: A Tribute to Charity Scott's Impact on Mental Health and Well-Being in Law School and Legal Practice

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“Mindfulness is awareness, cultivated by paying attention in a sustained and particular way: on purpose, in the present moment, and non-judgmentally.”¹

This is how Georgia State University College of Law Professor Charity Scott introduced the concept of mindfulness to numerous law students and lawyers. Aware that her skeptical, mind-driven audience needed a clear definition for a practice that seemed curious, at best, and esoteric, at worst, she immediately gave us the very lawyerly task of “pars[ing] each of these phrases to understand their importance and relevance to the legal profession”² and applying them to our own experience of studying or practicing law. Using scientific evidence, she described the benefits of mindfulness and then invited us to try it and decide for ourselves. Charity was a superb teacher, who knew how to impart knowledge skillfully, and a brilliant lawyer, who could present and defend her case exceptionally well. In fact, “Charity Scott owned the subject matter so deeply that she was able to engage lawyers who otherwise would never have given the concept of mindfulness any credence in a million years. In a way that’s hard to describe, she didn’t brook any resistance on the topic and, as a result, was able to move the needle on well-being for lawyers at a time when, as far as I can tell, she was the only one doing the lifting,” reflects Lynn Garson, health care attorney and mental health advocate. But I believe Charity Scott’s true mastery and impact came from her embodiment of mindfulness itself. In her presence, mindfulness ceased to be a mere concept, but instead became her way of being that illuminated her words and actions, nourished her relationships, and changed lives.

Professor Scott started changing my life from the start of law school when she became my academic advisor. With genuine care and openness, she took a keen interest in understanding who I was beyond my academic goals — where I came from, how I ended up in law school, and how my life experiences thus far influenced my perspective on studying and practicing

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law. She even got to know my parents when they visited from Bulgaria. Despite their limited English, she welcomed them into her torts class in my first year, shared life stories with them on a sunny day in the park in my second year, and hosted a graduation dinner for us at her home. I felt fully supported by a wise and kind teacher who created the space for our relationship to grow as each one of us continued to develop. Throughout law school, Professor Scott helped me navigate academic and career choices and, when I encountered the relentless stress and pressures of a typical Big Law environment, Charity became a compassionate colleague and enthusiastic ally in exploring solutions for those challenges.

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Charity's natural curiosity drew her to mindfulness and she decided to test for herself its purported benefits that were gaining widespread public and scientific attention in the mid-2010s. In fact, in one of our conversations back then, she shared how mindfulness meditation noticeably improved her focus and productivity and immediately saw how that would help her students. At the same time, in conversations with former students, now practicing law (including myself), she noticed a troubling and consistent lack of happiness and concerning decline in overall wellbeing among us, especially in private practice.

Indeed, in 2016, two national studies revealed alarmingly high levels of chronic stress, depression, anxiety, and problematic drinking among U.S. lawyers and law students, at rates significantly higher than in the general population.³ The following year, the Amer-

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review articles. The first, in 2018, outlined the effectiveness of mindfulness in promoting mental health and well-being in the legal profession.⁷ Then, in her 2021 collaboration with mindfulness scholar Paul Verhaeghen, they provided empirical evidence showing that mindfulness training produced "positive benefits in terms of decreasing perceived stress and increasing personal well-being ... includ[ing] increases in ability to focus attention; reappraise situations; be in a better mood; and show self-compassion, self-acceptance, and personal growth."⁸

Charity defined, tested, and confirmed the parameters for effective mindfulness training at Georgia State Law, which she conducted annually from 2015 to 2019.⁹ This training followed a six- to eight-week duration and was modeled on the Mindfulness-Based Stress Reduction ("MBSR") curriculum, recognized

as the “gold standard” in mindfulness training.¹⁰ But she also advocated for other approaches to support students who may be skeptical of mindfulness.¹¹ For instance, she and I co-convoked a seven-week “Wellness Wednesdays” program in the spring of 2018, emphasizing the advantages of adopting a multidimensional approach to well-being, where we covered the mental, physical, emotional, social, professional, and financial dimensions and provided specific practices to support each.¹²

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In Charity’s writings and memorable conversations, we can find the guidance and inspiration to continue her work. Integrating ongoing mindfulness and wellness instruction into its curriculum and professional development programs is a logical way for any law school and legal employer to translate its avowed commitment to law student and attorney mental health and well-being into tangible and effective action.¹⁸ While current evidence is strong, further research can help us maximize the benefits of mindfulness and well-being programs in various law school and practice settings by exploring different participant groups, program lengths, instructional methods, and empirically studying their potential effect on ethical decision-making and professionalism among law students and lawyers.¹⁹ However, it is naïve to expect research and training alone to make meaningful impact without addressing institutional policies and procedures

that compromise the mental health and well-being of lawyers and law students. This is the most challenging, and potentially most transformative, aspect of Charity’s legacy, as it requires us to assess honestly the values embedded into the core of our organizations and have the courage to replace any that undermine our health and well-being with ones that support it.

Remarkably, in both her classes and informal conversations, she prepared us by consistently modeling the mindful approach we need to meet successfully such challenges: “awareness, cultivated by paying attention in a sustained and particular way: on purpose, in the present moment, and non-judgmentally.”²⁰ Many of her students recognize the transformative impact of her care and sustained attention well beyond graduation. “Professor Scott taught me so much about the importance of mindfulness and wellbeing as a human and especially as a law student and attorney. What sticks out most, and what I think about so often, is not just the lessons she taught, but the care, commitment and love behind each lesson. The commitment she had toward the happiness and success of her students is a constant reminder of the commitment we need to keep up our own mindfulness practice and the love we need to show each other and ourselves every day,” reflects Marisa Ahlzadeh, 2019–20 president of WILS at Georgia State Law, now a real estate attorney. “Professor Scott profoundly impacted my life from the moment I met her. In my first year, she introduced the class to mindfulness during a discussion on maintaining your well-being during law school. Knowing that the next three years would be a stress-filled endeavor, I dove into the topics and often spoke with Professor Scott about mindfulness and well-being throughout law school. I attribute much of my success in managing the challenges of law school to the skills and lessons she taught me. As a practicing attorney, I still use the techniques I learned from Professor Scott daily,” shares Christopher Kanelos, 2018–19 president of MILS at Georgia State Law, now a corporate and private equity attorney.

Charity’s capacity to stay focused and attentive on purpose resulted in a remarkable patience and persistence, especially in exploring new opportunities that truly mattered to her. Refusing to accept “no” for an answer, she worked hard to bring mindfulness instruction, and launch well-being programs, at the law school and beyond. Tatiana Posada, co-founder and 2015–17 vice president of MILS at Georgia State Law, now practicing law and providing integrative health and wellness coaching, attests to the impact of that purposeful commitment: “During my first semester of law school, Professor Scott coordinated bringing

the Atlanta Mindfulness Institute to campus for an eight-week MBSR course. There was no way I could have known this specific MBSR course, over everything else in law school, would set me up for success as a law student, an attorney, and a human being. If Professor Scott did not fight to bring this offering to the law students, I do not believe I would be where I am today. If every law school had a professor willing to fight to bring such wellness offerings to their student body each semester, I believe not only would our law students be happier and healthier, but our legal community as a whole would shift to become a happier and healthier place to be.”

Charity’s present-moment awareness enabled her to recognize and integrate both the intellectual and emotional experience of students, thus co-creating highly effective teaching dialogue and easing the stress produced by using the Socratic method as intellectual interrogation in other classes. By staying present to each person’s unique circumstances, she created a safe space, and provided timely and appropriate guidance and support to help them grow, as reflected in employment attorney and wellness consultant Dani Berry’s words: “On a personal level, Charity provided me with a platform to tell my story and encouraged me to trust that my journey would have a positive impact on her students. She encouraged me to be involved in the Wellness Committee of the State Bar and introduced me to other lawyers practicing mindfulness. I am grateful beyond measure for Charity’s work and dedication to wellbeing in the law. I am proud to call her my friend, and I will forever cherish her memory and wisdom.”

Charity’s open mind and heart found endless opportunities and inspiration for her mindfulness practice. She relished the time with her grandchildren and often remarked they were among her best teachers of being in the present moment. Staying curious, non-judgmental and discerning, she translated her insights into impactful teachings that benefited her students, colleagues and fellow lawyers, demonstrating embodied awareness and mindful action in everyday life. Judi Cohen, friend, colleague, mindfulness teacher and founder of Warrior One, describes the power of Charity’s mindful presence: “Although Charity was already a long-standing, tenured, and beloved professor of law, she arrived at the first day of our organization’s Mindfulness in Law Teacher Training with that loveliest of qualities, “don’t know mind.” From the first moment of meeting her, Charity was as much my teacher as my student, if not more my teacher. Her open-mindedness was an inspiration, and her willingness to deepen her own practice was a powerful model

for the cohort and, over the subsequent years, for so many of us in the mindfulness-in-law world. The two law review articles Charity wrote on mindfulness and law remain standards in the field and imminently readable and enjoyable. I was also fortunate enough to enjoy dinner with Charity’s beautiful family. It was obvious to me that evening that Charity and her husband had succeeded in passing down to the next two generations Charity’s values and deep connection to her own heart. I miss Charity. I think often of her and her contributions to the mindfulness-in-law world, and remember her with deep fondness.”

Through her embodied mindfulness, Charity inspired and ultimately called us to live into our full potential, as captured by Paul Knowlton, attorney, mediator, pastoral counselor, and co-author of *Better Capitalism*:²¹ “Charity transformed me and my attorney wellbeing work as I realized I was witnessing her transformation. As a law school student, I respected our commanding Professor Scott but was too busy striving to get to know her. As an associate, I admired our visionary founding director of the Center for Law, Health and Society but was too busy striving to get to know her. Eventually, after crashing and burning from all my striving, I joined our courageous Charity on the wellness journey where I was privileged to know her. Commanding. Visionary. Courageous. Charity allowed her light to shine so that we may see, learn, and benefit. What else can each of us do but honor her transformative impact by likewise growing into the fullness of light we are each created to be.”

In conclusion, I invite you to engage in a mindful self-reflection to honor Charity’s personal impact through mindfulness and acknowledge its unique significance for each of us. The above recollections consistently invoke her wisdom, courage, inspiration, vision, transformation, open-mindedness, empathy, care, commitment, and love — notably, qualities not typically associated with lawyers. As you pause and turn your attention inward, please consider which of these words resonate with your experience of Charity, or find your own word that better captures her influence. If you did not know Charity, contemplate which of these words align with your personal values. And if you’re feeling resistance to this exercise, explore what that resistance might be telling you.

After you choose one (or more) of these words, or come up with your own, reflect on how you value or already embody that quality and contemplate how you can bring more of it into your life, work, relationships, words, actions, or thoughts. In embracing these values, we honor Charity’s legacy and amplify her impact by carrying forward, in our own unique ways, the care,

commitment, love, wisdom, courage and so much more that she gave us. And, as each one of us does that, perhaps we can heal and reform the legal profession so that one day these are the words we use to talk about and associate with lawyers.

Note

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References

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2. C. Scott, “Mindfulness in Law: A Path to Well-Being and Balance for Lawyers and Law Students,” *Arizona Law Review* 60, no. 3 (2018): 635-74, at 646.
3. See P. Krill, R. Johnson, and L. Albert, “The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys,” *Journal of Addiction Medicine* 10, no.1 (2016): 46-52, available at <https://journals.lww.com/journaladdictionmedicine/fulltext/2016/02000/the_prevalence_of_substance_use_and_other_mental.8.aspx> (last visited February 29, 2024) (reporting that 28% of 12,825 surveyed attorneys experienced depression, 19% anxiety, 23% stress, and 20.6% problematic drinking); and J.M. Organ, D.B. Jaffe, and K.M. Bender, “Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns,” *Journal of Legal Education* 66, no. 1 (2016): 116–56, available at <<http://jle.aals.org/home/vol66/iss1/13/>> (last visited February 29, 2024) (finding that 37% of 3,000 surveyed law students screened positive for anxiety, 17% for depression, 6% for serious suicidal thoughts in previous 12 months, and 53% drank enough to get drunk in previous 30 days, 43% binge drank at least once in prior two weeks, and 22% binge drank two or more times in prior two weeks).
4. National Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (2017): at 1, available at <<https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>> (last visited February 29, 2024)
5. See *id.*
6. Also acknowledged by employment attorney and wellness consultant Dani Berry in personal communication to author (December 11, 2023): “Charity Scott was a pioneer in the legal community. She recognized the practice of law impacts lawyers on a deep personal level that often results in maladaptive stress responses such as depression, anxiety, and addiction, and she took action. Charity dedicated classroom time to educate her students on personal development and wellbeing through mindfulness practices. As a result, Charity’s students have tools and practices to be healthy and happy attorneys and are able to share their knowledge and skills with attorneys who may be struggling. Charity’s legacy will continue to spread throughout the legal community and impact generations of future attorneys.”
7. See Scott, *supra* note 3.
8. See C. Scott and P. Verhaeghen, “Calming Down and Waking Up: An Empirical Study of the Effects of Mindfulness Training on Law Students,” *Nevada Law Journal* 21, no. 1 (2021): 277-324, at 323.
9. See *id.*, at 285 (starting with a 4-week pilot in 2015); see also “Mindful Mondays: Learning to Breathe in Law School,” November 2, 2015, available at <<https://law.gsu.edu/2015/11/02/mindfulness-training-law-school/>> (last visited February 29, 2024).
10. See Scott and Verhaeghen, *supra* note 9, at 285-86. See also Scott, *supra* note 3, at 666, 671 (highlighting the advantages of MBSR-based training).
11. See Scott, *supra* note 3, at 671.
12. See *id.*, at 670 (“The program avoids the conventional duality of seeking “work-life balance,” as work is simply one part of life. Rather, the series encourages students to think about how to attend to all of the dimensions of well-being and find their own ways of integrating those dimensions into their lives ... [and] acknowledges that the students’ individual senses of balance or integration will be continually changing and evolving as the students and their circumstances change and evolve over a lifetime.”). See also “What Makes Lawyers Happy? Wellness Program Instructs Students on Well-Being” February 2, 2018, available at <<https://law.gsu.edu/2018/02/02/what-makes-lawyers-happy/>> (last visited February 29, 2024); “Wellness in Law School and Practice,” March 13, 2018, available at <<https://law.gsu.edu/2018/03/13/wellness-in-law-school-and-practice/>> (last visited February 29, 2024).
13. See Scott and Verhaeghen, *supra* note 9, at 318-19.
14. See e.g., *id.*, at 323-4 (“Mindfulness training should not be an isolated offering, however. It should be integrated into a much larger and well-designed institutional curriculum that offers a variety of resources for law students, creates a culture of wellness in legal education, and systematically cultivates health and well-being throughout students’ years in law school.”)
15. See Scott, *supra* note 3, at 670.
16. See e.g., *id.*, at 670-1.
17. See e.g., *id.*, at 671; Scott and Verhaeghen, *supra* note 9, at 320 (promoting the need for “a larger reform movement in legal education that takes the health and well-being of law students to heart and fosters their professional competencies within an institutional culture of well-being”). See also *id.*, at 323 (“The current crisis in mental health on campuses must be addressed systematically and institutionally for the long term to ensure students’ future success.”).
18. See generally *id.*, at 316-20.
19. See generally *id.*, at 320-22.
20. Kabat-Zinn, *supra* note 2, at 1.
21. P.E. Knowlton and A.E. Hedges, *Better Capitalism: Jesus, Adam Smith, Ayn Rand, and MLK on Moving from Plantation to Partnership Economics* (Eugene: Cascade Books, 2021).