

Resources to Help Create Space and Build Resilience

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Five Things You Can Do in Five Minutes or Less to Create Space

I know how busy you are. So here are a few simple ways to bring a little space into your day.

1. Breathe out. [A longer out-breath activates the parasympathetic nervous system](#)¹ (rest, relax and digest) and [removes cortisol from your system](#).²
2. Sit still and quiet, even if it is just long enough to listen to your favorite song. (That advice about the favorite song comes from [Tim Ferriss](#)³, and underscores the point that the idea is to start where you are and not disappoint yourself by not being “[The Serenest](#)”⁴).
3. Start your workday by thanking someone (email, handwritten note, don’t be too picky). Among others, [Jeff Manning](#)⁵ has made this wise recommendation. These [random acts of kindness](#)⁶ have an effect.
4. At the end of the day, write down three things that went well and why. (This is from [Martin Seligman](#), who knows a bit about thriving). Call it a Gratitude Journal if you like.
5. Move for at least 15 minutes each day. Walk up a flight of stairs. Walk around the block. Every little bit counts. The [science](#)⁷ backs this up.

Also available at <https://medium.com/@jjpringlesc/five-things-lawyers-can-do-in-five-minutes-or-less-to-create-space-9c6940aad69e>

Five Computer Tools You Can Use to Create Space

Aware of the fact that there is a potential contradiction in postulating that technology can help clear your mind as opposed to filling it with the unimportant, I offer these (and there are many others, I just chose these, I am a user of these things but get no consideration from any of them, etc. etc.) as a way to manage attention and energy of all types.

1. **Evernote (www.evernote.com) - Your Brain is a Terrible Storage Device.**



If your mobile device is never going to leave you, why not use some of that capacity to store things you want to remember later? Folders, tags, syncs across all your devices, etc. Stop complaining about that book or band someone mentioned to you a week ago that you promptly forgot.

2. **Headspace www.headspace.com - Meditation on Demand and at Your Very Fingertips**



Not ready for an ashram or a studio, much less chanting (not that there is anything wrong with chanting)? Headspace lets you choose from a variety of guided or unguided meditations, so you can do them in the privacy of your office or home and at your own pace (i.e. five minutes is just fine).

3. **Freedom <https://freedom.to/> - Eliminate the Temptation to be Distracted.**



Freedom blocks certain sites (or the whole Internet) for a time period of your choosing.

4. **750 Words** <http://750words.com> - Get Your Ya-Ya-s Out (Of Your Head)



Keeping a journal is a very powerful way to create the space to clear your head, create, recover, and [express gratitude](#).⁸ (By the way, read everything [Benjamin Hardy](#)⁹ writes). This [site](#) provides a simple way to create those “morning pages”¹⁰.

5. **AllTrails** <https://www.alltrails.com/>- Get Outside.



You can find every available hike close to you. Wherever you are. No excuse now.

Conclusion

As Melvin Kranzberg observed, “technology is neither good nor bad; *nor is it neutral.*” It’s up to you to discern what technology tools serve you best in your various endeavors.

Also available at <https://medium.com/@jjpringlesc/5-computer-tools-lawyers-can-use-to-create-space-b16a2f846fea>

Resolve to Use Your Device as a Tool- And to Resist Being Tooled by It

It's that time of year: reflection and some soul-searching about what to do differently when we turn over a new leaf on January 1st. Let me offer a modest proposal.

The New Body Part

Everyone reading this post has a smartphone. And chances are you are not going back to a flip phone, a bag phone, or a rotary dial phone hanging on the wall in your kitchen.

These cases require us to decide how the search incident to arrest doctrine applies to *modern cell phones, which are now such a pervasive and insistent part of daily life that the proverbial visitor from Mars might conclude they were an important feature of human anatomy.* Chief Justice Roberts, [Riley v. California](#).¹¹

And I know you have some legitimate uses for your device: very convenient to get things done at any time and wherever you are. Ridiculous amounts of computing power and broadband internet speeds and video and pictures and those GIF memes, emojis, etc., etc. I get it.

But I am pretty sure that none of us planned to be on our devices constantly, at least not in the way we actually use them. Be honest: when you are on your smartphone, how often are you doing productive things? And how often are you doing “unproductive” things *intentionally*?

I am not being a scold here. [No one enjoys playing as much as I do](#)¹². The question is whether you *decided* to play, or whether your device just happened to be there and you started swiping and typing.

Are You Using the Device, or Is It Using You?

Bright, shiny devices that are so easily accessible and so full of bells and whistles tend to hijack self-control. And left to our own devices (thanks, I will be here all week), we are likely to create our own little [Skinner Boxes](#)¹³- with games, social media sites, and constant checking of all our information streams- all the while not knowing that we're doing it.

Your attention is being sought and used relentlessly by those doing business in the online world¹⁴.

“If you’re not paying for something, you’re not the customer; you’re the product being sold”.—Andrew Lewis.

Technology as a Servant, Not as a Master

And when computer tools are using us, we don’t get a chance to determine the ways in which we can use these technologies as part of our “extended mind”-allowing computers to perform tasks that free up our minds to do higher-level thinking¹⁵. That higher-level thinking is what is going to enable work and workplaces to continue to evolve as automation advances¹⁶.

In other words, if you are going to have your device as another appendage, then put it to work for you.

Train Your Mind-Try Meditation.

Headspace¹⁷ is just so easy to use. And you can use it anywhere. At any time. Carving out those quiet moments may create the space for you to see the way your minds works, and how these technologies have commandeered your attention and created the idea that you are so “busy” all the time.

And I certainly am a proponent of getting quiet- whether through meditation, getting outside, exercising, or undertaking other pursuits- and away from devices altogether. But I don’t think it is an all-or-nothing proposition. The key is to have the space and frame of mind to discern what tools to use and when. And to realize who or what is being used.

Give Your Mind a Rest.

See above. In addition, stop keeping all these ideas in your head. Use Evernote or a similar program to memorialize and organize things for later use. If the device is going to be with you at all times, at least take advantage of that fact. As the late great Mitch Hedberg remarked:

I sit at my hotel at night, I think of something that's funny, then I go get a pen and I write it down. Or if the pen's too far away, I have to convince myself that what I thought of ain't funny.

Free Up Your Attention

Quit complaining that you don't have time unless you have gotten smarter about the way you use your time. Try [Boxed](#)¹⁸. Or [Amazon Prime](#)¹⁹. The idea is to use your time and attention to do meaningful things. An afternoon of shopping and hauling things around is not meaningful in my world when there are available alternatives.

Feed Your Mind

There has never been a better time to learn new things. And these devices make myriad information sources available to you at any time. Below are just two examples.

Listen to Books. It has never been so easy to have great content literally at your fingertips. Consider a subscription to [Audible](#)²⁰, and listen while you drive, work out, walk, or otherwise have downtime. If you are looking for recommendations, click [here](#)²¹.

Listen to Podcasts. See above. Long-form discussion. Topics directly related to your profession, interests, or entertainment choices. Always available. Pushed directly to your device. You don't have to do anything but click and listen. Podcasts for lawyers? Click [here](#)²².

Conclusion

The age of machines (artificial intelligence, machine learning, autonomous vehicles, the blockchain) is only just getting started. The changes in the way we live and work are going to be significant (and arguably have already been significant). In order for humans to figure out where we fit in, we have to have lots of attention and figure out where to spend (pay) it. That means understanding these tools- their benefits and risks- and making sure we use them wisely and effectively.

Podcasts

Here are the legal podcasts on my device right now (with summaries largely based on their own descriptions), in alphabetical order so I don't have to rank them:

1. [ABA Journal: Asked and Answered](#)²³. This features top of the industry guests discussing various legal topics.
2. [Amicus With Dalia Lithwick](#)²⁴. [Lithwick](#)²⁵ writes about courts and the law for Slate, and Amicus is all about the United States Supreme Court. Great resource for following the goings-on at SCOTUS.
3. [Building NewLaw](#)²⁶. This is a great listen for those exploring new and innovative ways to practice.
4. [Kennedy-Mighell Report](#)²⁷. [Dennis Kennedy](#)²⁸ and [Tom Mighell](#)²⁹ educate lawyers on how technology can be used to improve services, interactions with clients, and overall workflow.
5. [LawNext](#)³⁰. Hosted by Bob Ambrogi. Each week, Bob interviews the innovators and entrepreneurs who are driving what's next in the legal industry. From legal technology startups to new law firm business models to enhancing access to justice, Bob and his guests explore the future of law and legal practice.
6. [The Lean Law Firm](#)³¹. Larry Port and Dave Maxfield offer insights on how to practice law effectively and efficiently.
7. [Legal Toolkit](#)³². A comprehensive resource for professionals in law practice management. Each month, host Jared Correia invites forward-thinking lawyers to discuss the services, ideas, and programs that have improved their practices.
8. [Oral Argument](#)³³. A podcast about law, law school, and legal theory. [Joe Miller](#)³⁴ and [Christian Turner](#)³⁵, law professors at the University of Georgia, do some really in-depth analysis of cases and legal issues. A must-listen for those (including myself) interested in the laws of airline seat reclining and speed traps.
9. [The Resilient Lawyer](#)³⁶. Practical and actionable information you can use to be a better lawyer.

Perfect: Enemy of the Good (and the Better)

Voltaire said that "Le mieux est l'ennemi du bien," or "the best is the enemy of the good." Jeff Jarvis' [contribution](#)³⁷ to [End Malaria](#)³⁸ goes further and argues that the best is also the enemy of the better, because it prevents getting things done, and stymies the "process of improvement and the possibility of collaboration."

In terms of practical decision-making, and especially when lawyers are concerned, pursuit of the best often leads to "[READY...AIM...AIM...AIM...AIM...AIM... Wait a minute, why am I holding a gun?](#)"³⁹

According to Jarvis, the [beta](#)⁴⁰, the product in development that is released publicly for evaluation and improvement, is the antidote to the best. The act of shipping product and inviting customers to help complete it is transparent, humble, and generous. And "beta-think," and the processes of innovation, experimentation and risk, can be applied to many areas in addition to software development.

Once the fear of imperfection and its paralyzing effect is removed, "we can make what we do ever better because we are never done, never satisfied, always seeking ways to improve by working in public."

Perfectionism can also get in the way of your own well-being and happiness. For more, read Brene Brown's [The Gifts of Imperfection: Let Go of Who You Think You Are Supposed to Be and Embrace Who You Are](#)⁴¹. Brown's [TED Talk](#)⁴² and her [interview](#)⁴³ with Gretchen Rubin of [The Happiness Project](#)⁴⁴ sum up many of the themes in the book, and she emphasizes that the seemingly paradoxical actions of embracing vulnerability and flaws and getting over the fear of being authentic are keys to becoming stronger.

Put another way in a recent Guardian [article](#)⁴⁵ describing [Action for Happiness](#)⁴⁶, acts of generosity and expressions of gratitude can be uncomfortable initially, but taking those leaps strengthens crucial connections and trust.

Addressing the other side of the coin, Brown identifies a possible source of the never-ending supply of blame being thrown around in the world, noting that "rather than doing the difficult work of embracing our own vulnerabilities we

expose, attack, and ridicule."

Leonard Cohen summed it up pretty well, speaking very softly from a window in the Tower of Song, in his song [Anthem](#)⁴⁷:

Ring the bells that still can ring;
Forget your perfect offering;
There is a crack, a crack in everything;
That's how the light gets in.

Some Good Books for Getting Better

The following is a collection of resources (in no particular order) that I have found helpful for doing some of that work.

1. [This is Water: Some Thoughts, Delivered on a Significant Occasion, about Living a Compassionate Life.](#)⁴⁸ The late David Foster Wallace delivered this commencement speech at Kenyon College in 2005. In sum, exercising the choice of what you think about is essential in navigating the day-to-day where we live our lives. And being attentive and mindful of what is right in front of you is necessary to overcome your inherent self-centered nature-- the real journey of a lifetime.
2. [Toughness: Developing True Strength On and Off the Court](#)⁴⁹, by [Jay Bilas](#)⁵⁰. This is an extraordinary thorough and insightful exploration what it takes to complete the missions you undertake. And toughness is not what you think it is.
3. [Wherever I Wind Up: My Quest for Truth, Authenticity, and the Perfect Knuckleball](#)⁵¹, by R.A. Dickey. Dickey has faced and overcome tremendous challenges, numerous setbacks, and professional and personal failures on his journey back to the Major Leagues. This is not a book about baseball, but about confronting your demons, figuring out what really matters, and persevering- again and again and again. If you think you know something about bravery and courage, read this.
4. [The Willpower Instinct: How Self-Control Works, Why It Matters, and What You Can Do To Get More Of It](#)⁵² by Kelly McGonigal. Doing what matters is difficult, in part because our brains are wired to to want and seek something different. McGonigal offers the most practical explanation I have read of why this is the case, as well as down-to-earth advice on how to train yourself in service of your real goals.
5. [Flow- The Psychology of Optimal Experience](#)⁵³, by Mihaly Csikszentmihalyi. An exploration of how high performers get "into the zone" or "in the groove."
6. [Do the Work](#)⁵⁴, by Steven Pressfield. Identify the "Resistance" holding you back.

7. [How Will You Measure Your Life?](#)⁵⁵ by Clayton Christensen, James Allworth, and Karen Dillon. This is an absolute must-read for anyone starting or planning a career. It poses some very difficult questions, but aren't those the only ones worth wrestling with?
8. [The Artist's Way](#)⁵⁶, by Julia Cameron. If you think you are not an artist, and are not a "creative" person, you are so wrong.
9. [The Checklist Manifesto: How to Get Things Right](#)⁵⁷, by Atul Gawande. I have previously written about Gawande and the importance of checklists [here](#), [here](#), and [here](#). All organizations can improve their processes and manage their knowledge more effectively by utilizing checklists.
10. [Thinking, Fast and Slow](#)⁵⁸, by Daniel Kahneman. You think your thinking process is "rational" and "objective"? Reconsider. Knowledgeable insight into how our biases affect decisionmaking.
11. [The Power of Full Engagement: Managing Energy, Not Time, is the Key to High Performance and Personal Renewal](#)⁵⁹, by Jim Loehr and Tony Schwartz. In order to be effective, you have to manage your energy: physical, mental, emotional, and spiritual.
12. [Getting Things Done: The Art of Stress-Free Productivity](#)⁶⁰, by David Allen. Do it, Delegate It, or Defer It. Close open loops. Know the difference between the urgent and the important- especially if the most recent email hitting your inbox always becomes your highest priority.
13. [The 7 Habits of Highly Effective People](#)⁶¹, by Stephen Covey. A very detailed roadmap of how to get control of your professional and personal life.
14. [The Algebra of Happiness: Notes on the Pursuit of Success, Love, and Meaning](#)⁶², by Scott Galloway. Observations on what really matters, and getting a handle on your burn rate.
15. [The Happiness Curve: Why Life Gets Better After 50](#)⁶³, by Jonathan Rauch. Certainly meant for people of a certain vintage, but some inspiration for those slogging through the trough, too.

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