

Internship Class: Learning from Practice: Contemplative Practice & the Practice of Law

Spring 2000

Tuesdays: January 18 – April 25, 5 pm to 6:40 pm

Instructor: Asst. Prof. Jacqueline St. Joan, Office: 212J Porter (Student Law Office)

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Class Description: This class will introduce students to fundamentals of contemplative practice as threads to weave together personal and professional lives. The course will examine “The Lawyer’s Oath and how to adhere to it. We will learn skillful means of dealing with clients, opposing counsel, supervisors, others, and ourselves as we encounter problems in the practice of law. We will improve our powers of observation and self-reflection, clarify our professional intentions, and improve our mental endurance for the practice of law.

Reading and Writing Assignments: Steven Keeva, Transforming Practices: Finding Joy and Satisfaction in the Legal Life (an ABA Journal Book), Contemporary Books, 1999. Students will be assigned selected readings from Keeva and will be given appropriate weekly handouts selected by the instructor. Students will select a book from the instructor’s Bibliography on Contemplative Practice and the Practice of Law and will prepare and present a 30 minute oral class report focused on the practices revealed in the reading. Students may be assigned one or two informal research and reflective writing essays as well.

Requirements for Enrollment: All students must be enrolled concurrently in an internship course, and should sign up with Prof. St. Joan or through the Internship Office (Porter 230). This class will satisfy the seminar requirement of any internship course. No other requirements or skills needed. Students are expected to attend every class and to participate actively in class discussions.

Grading: No formal grade is given for this class, and students are expected to be self-directed. The internship course itself is graded on a Pass/Fail basis. Failure to substantially comply with class requirements could result in a Failing grade in the internship course.

Class Schedule:

January 18

General Orientation to Internship Classes. Ethical obligations; internship program requirements; timesheets; journals; evaluations; grading. (Mona Fontes)

Introduction to this class and to each other.

Discussion: What is contemplative practice? Instructions on observing.

Read: Keeva, Chap. 1, Terra Incognita; James L McHugh, “Zen and the Art of Lawyering,” 39 Villanova L. Rev. 1295 (1994).

January 25

Discussion: observations of self and law practice; Instruction in how to let the mind settle and become more stable.

Read: Keeva, Chap. 12, “Legal Education at the Threshold.”

February 1

Discussion: How conflict arises generally and particularly how it arises in the practice of law; Instruction on observing the mind in conflict.

Read: (Riskin); Read Parts I and II to page 905, Excerpt from Patrick J. Schlitz, “On Being a Happy, Healthy and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession,” 52 Vanderbilt L. Rev. 871 (1999).

February 8

Discussion: The Lawyer's Oath

Instruction on remembering to bring the oath to mind

Read: Keeva, Chap. 5, "The Mindful Practice"; Julie Connelly, M.D., "Being in the Present Moment: Developing the Capacity for Mindfulness in Medicine," 74 Academic Medicine 420 (Apr 99).

February 15

Discussion: elements of The Lawyer's Oath: integrity, honesty, candor

Rules of Professional Conduct

Read: Philip Novak, "The Practice of Attention," Parabola 5 (Summer 1990); Denver Bar Association Principles of Professionalism.

February 22

Discussion: elements of The Lawyer's Oath: courtesy, dignity and respect

Denver Bar Association Principles of Professionalism: What is cooperation? courtesy? respect? civility?

Read: Sarah W. Young, "The Calling of the Law," 12 Amer. J. of Fam. L. 30 (1998).

February 29

Essay due: What is important to me about The Lawyer's Oath?

Panel discussion of adherence to the oath, the rules, and the principles of professionalism

Read: Keeva, Chap. 9, "The Service Practice"

March 7

Discussion: What does it mean to be of service to others? Review personal statements students made to the DU admissions committee and review panel discussion.

Read: Pablo Neruda, "Keeping Quiet," in Susan Walker, Speaking of Silence, Paulist Press, 1987.

March 14 (Spring break)

March 21

Discussion: "First, do no harm": Speech and silence in the practice of law.

Read: Lee Hugh Goodman, "The Case of the Smiling Old Man," 45-JUL Fed. Law. 42 (1998); Keeva, Chap. 8 "The Listening Practice"

March 28

Oral book review and discussion of contemplative practices due.

Discussion of assignment to interview mentor lawyer or judge concerning how they have mixed personal values and legal practice—what are their obstacles, how have they overcome them? How to interview thoughtfully.

April 4

Discussion: how compassion arises in law practice; pro bono publico and the practice of generosity. Instruction in exchanging yourself for others.

April 11

Instruction and practice: taking and sending

Assignment: Re-write your personal statements. **Revisions are due April 18**

Read: Keeva, Chap. 11, "The New Client"

April 18

Instruction and practice: taking and sending

Read: Keeva, Chap. 13 "The Choice is Yours" and Chap.14 "Transition and Opportunity."

April 25

Potluck supper; Class evaluation

Discussion of revised personal statement. What is contemplative practice? Is it important to you? Why? How is it relevant to lawyers? How is it beneficial to you? What are your intentions now and how will you carry them out?

