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# MINDFULNESS AND JUDGING

# MINDFULNESS

- BEING IN THE PRESENT INSTEAD OF THE PAST OR THE FUTURE
- LIMITING THE EFFECTS OF THE REACTIVE BRAIN AND STRENGTHENING THE FUNCTIONING OF THE REFLECTIVE BRAIN
- CREATING SPACE FOR DEALING WITH DIFFICULT CONVERSATIONS OR SITUATIONS
- INTENTIONALITY: CHOOSING ONE'S RESPONSE, INCLUDING EXPRESSION OF EMPATHY AND COMPASSION TOWARD ONESELF AND OTHERS
- (NON-SECTARIAN) SPIRITUALITY: OPENNESS TO A DEEPER EXPERIENCE OF LIVING

THINKING  
FAST AND  
SLOW  
(FROM  
DANIEL  
KAHNEMAN)

SYSTEM ONE: INTUITIVE, REACTIVE,  
SPONTANEOUS; GENUINE, BUT PRONE TO  
UNCONSCIOUS BIASES AND ASSUMPTIONS  
AND NOT ALWAYS CONSTRUCTIVE

SYSTEM TWO: REFLECTIVE, REASONED,  
INTENTIONAL; NOT ALWAYS ACCESSIBLE  
IN EMOTIONALLY-CHARGED SITUATIONS,  
BUT CAPACITY CAN BE INCREASED  
THROUGH MEDITATION AND OTHER  
ATTENTION-BUILDING PRACTICES

# JUDICIAL APPLICATIONS OF MINDFULNESS

- REPETITIVE TASKS (E.G., PLEAS IN CRIMINAL CASES): HEIGHTENED ABILITY TO TAKE IN THE UNIQUE ASPECTS OF EACH PERSON AND SITUATION AND COMMUNICATE GENUINE ATTENTION AND CONCERN

# JUDICIAL APPLICATIONS OF MINDFULNESS

- UNCONSCIOUS ASSUMPTIONS: BY LIMITING REACTION AND STRENGTHENING REFLECTION, FACILITATES A MORE EVIDENCE-BASED APPRECIATION OF PEOPLE AND SITUATIONS

# JUDICIAL APPLICATIONS OF MINDFULNESS

- EMOTION REGULATION: CREATES MENTAL AND EMOTIONAL SPACE FOR RESPONDING TO TRIGGERING EVENTS OR CIRCUMSTANCES AND ALLOWING FOR A MORE INTENTIONAL RESPONSE

# PRO-SURVIVAL ATTRIBUTES OF JUDGES

- PATIENCE
- PERSPECTIVE AND SELF-AWARENESS
- COMPASSION TOWARD SELF AND OTHERS
- CONNECTION WITH OTHERS

# HUMILITY

- THIS IS HARD WORK
- YOU CAN'T FIX EVERYTHING
- YOU WILL DISAPPOINT YOURSELF REPEATEDLY
- FORTUNATELY, YOU WILL HAVE MANY OPPORTUNITIES TO PRACTICE AND LEARN