

Holistic Principles in the Practice of Law

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So, just what *is* a holistic lawyer? There may be no one clear answer, but among those who refer to themselves as such, there seems to be a common thread—that being an approach to the practice of law that seeks to minimize conflict and to emphasize growth and healing for clients. This bold, new approach flies in the face of our traditional adversarial system.

Ours is a vast, complex legal system in which many separate bodies of law converge in the resolution of even the simplest of legal matters. This inherent complexity, regrettably, necessitates the assistance of an attorney in many instances. It is no wonder that legal clients often feel disempowered, being necessarily dependent on an attorney to guide them through the system. The quality and style of that guidance, however, can dramatically shape a party's experience. Disempowerment need not be a given. Holistic attorneys

strive to empower clients in the resolution of legal issues through the application of holistic principles.

There are many ways in which attorneys apply holistic principles. For starters, holistic lawyers are among those on the forefront of “Alternative Dispute Resolution” (ADR). ADR emphasizes cooperative settlement methods such as mediation, collaborative law (where attorneys agree to work together and not litigate; if unsuccessful, the clients use other attorneys at trial), and arbitration. Even arbitration, which in some ways resembles an actual trial but without trial formalities, is a step away from the full-scale “bite” of the traditional adversarial hearing or trial.

A holistic lawyer strives to see the whole person behind the legal issues. This requires active listening on the attorney's part, to discern both the relevant legal issues, and to determine what is *really* important to a client—which may be neither a legal issue nor clearly articulated. I once watched a woman in court win her case in court, yet she was emotionally devastated by her

opponent's vicious testimony against her. Afterwards, her attorney propounded the legal technicalities that had just taken place, completely oblivious to the fact that his emotionally distraught client couldn't hear a word he was saying. The attorney had performed brilliantly, but was completely out of touch with his client. This is an unlikely scenario for a holistic attorney.

It may help if the attorney has been a client him- or herself. While I wouldn't recommend that every attorney get divorced before practicing family law (though I have considered that perhaps every surgeon should have his appendix removed before being allowed to operate on patients), having "been there" may enhance an attorney's ability to fully "hear" a client. For example, I know pretty well what my client is going through in a custody dispute, as my own life has been profoundly altered by such proceedings.

Metaphysically speaking, we are spiritual beings on a spiritual journey. Life's challenges mirror back to us insights about where we are on our spiritual paths; such

challenges provide opportunities to grow and evolve. Legal issues can present some of life's greatest challenges—yet therein, some of life's greatest opportunities. When viewed as such, profound possibilities emerge. A holistic attorney may not only enhance your prospects for surviving the legal system, but also for using your experience as a catalyst to propel your spiritual growth to new bounds. It is akin to having someone support you in surfing the wave rather than being tossed about by it; it is about choosing to be the source, rather than a victim, of your own reality. These are times of accelerated spiritual growth. When your growth opportunities take the form of legal issues, a holistic attorney can be a powerful ally.

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