

Mindful Courts Exploratory Study

Summary of Program, Findings, & Recommendations¹

Study Purpose

Change is the new normal for courts. Those who work in and with courts have spent the last several years continuously adapting operations to ensure the ongoing delivery of justice in a pandemic world. And the pandemic is but one of the many driving forces of change potentially impacting courts.¹ While change brings possibilities, it can also overwhelm and cause burnout. Results of multiple surveys sponsored by the American Psychological Association and the American Psychiatric Association over the last few years indicate that Americans continue to experience stress in record amounts since the onset of the pandemic.²

Building a mindfulness capacity is one strategy many in the public and private sectors are embracing to build thoughtful, creative, and resilient workforces ready to respond to ongoing demands.³ Mindfulness involves paying attention in an open and curious way to the experiences of the present moment. Research shows that it helps combat mind wandering and making “autopilot” decisions. It also enhances creative problem-solving and reduces stress, emotional exhaustion, and burnout.⁴

During the summer of 2022, the National Center for State Courts (NCSC) offered an opportunity for those who work in and with courts to practice mindfulness across an 8-week period.⁵ The primary purpose for offering the program was to bring attention to mindfulness as a possible strategy for reducing stress and increasing well-being to members of the court community. A secondary purpose was to collect data

Executive Summary

A mindfulness program offered through a free, mobile app and weekly webinar meetings showed promise for increasing mindfulness and well-being and reducing stress among a convenience sample of individuals who work in and with courts. Because of the high attrition rates, common to these types of studies, the findings are promising but should be interpreted with caution. Additional research to build the evidence on mindfulness programs for the court community is encouraged.

Among those who participated, feedback about the program was largely positive. Participants found the mobile app user-friendly and engaging, and the half-hour weekly webinars with a mindfulness instructor useful and engaging.

Results suggest that building a judicial education mindfulness program around a mobile app is a cost-effective approach that is flexible to implement and helps some in the court community enhance their mindfulness and well-being and reduce their stress. Future mindfulness programs should include evaluations to further our knowledge on which features of the programs are of greatest benefit to participants and whether the programs are more likely to affect well-being and stress in distinct subsets of the court community.

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to inform decisions about incorporating mindfulness into judicial branch education and training programs more generally.

Description of NCSC Mindfulness Program

The 8-week program used the free, science-based Healthy Minds Program mobile application (app), developed by Healthy Minds Innovations, Inc., a nonprofit affiliated with the Center for Healthy Minds at the University of Wisconsin-Madison.⁶ The app combines podcast-style lessons and practice sessions using various types of meditations. The NCSC provided participants with instructions for using the app and a suggested curriculum to follow during the 8-week period.⁷ We asked participants to use the app for at least 15 minutes a day to build a daily practice. We encouraged them to prioritize consistency in practice over following the curriculum. We also encouraged them to complete additional lessons or practice sessions if desired, and explore other meditation sections of the app.

In addition to following the app, the NCSC offered virtual, voluntary, half-hour, weekly sessions with a certified mindfulness instructor who is also a former court professional. Each session typically consisted of a brief “settling-in” exercise, a 10-minute guided meditation, and time for questions and answers. In addition to the webinar’s Q&A feature, participants were able to submit questions in advance of the webinar. All group sessions were conducted via the Zoom webinar platform and were recorded for those who could not attend.⁸

Program Participants

Initially, 238 individuals registered for the program, and 8 subsequently withdrew or opted to participate without providing data related to their program experiences. During the study, we requested that participants complete a variety of assessment instruments and surveys (see Program Measures, below). Although 187 participants responded to at least some survey questions, only 49 completed a sufficient number of questions on the baseline, post-program, and follow-up assessments to be included in the evaluation of mindfulness, well-being, and stress.

Of the 230 registered participants, 61% were court employees, 16% were judges, and 23% worked in other positions affiliated with the court system. Participants varied in years of experience with the majority (65%) working in or with the courts for more than 10 years. Demographic information received from 178 participants completing surveys indicated that the majority of participants were female (87%) and white (77%). While participants varied in age, the majority (65%) were in the middle of the age spectrum, between 45 and 64 years old. Participants also represented courts from 27 different states and Puerto Rico, as well as national organizations working with the courts. The majority of participants indicated that they had not previously practiced mindfulness.

Program Measures

We asked program participants to complete three measures of mindfulness, stress, and well-being prior to beginning the program (baseline assessment), at the completion of the 8-week program (post-program assessment), and four weeks after the completion of the

program (follow-up assessment). Specifically, we used the following three assessment measures:⁹

- The Mindful Attention Awareness Scale (MAAS), a 15-item measure of mindful awareness over time.¹⁰
- The Perceived Stress Scale (PSS), a 10-item measure for evaluating the degree to which an individual's life situations are perceived as stressful during the last month.¹¹
- The Workplace PERMA Profiler, a 23-item variant of the PERMA-Profiler which measures five pillars of well-being (positive emotion, engagement, relationships, meaning, and accomplishment) as related to an individual's workspace.¹²

In addition, we asked program participants to a) provide demographic information and indicate whether they had prior experience practicing mindfulness with the initial baseline survey; b) complete short weekly surveys about their mindfulness practice and include any questions they have about the practice; and c) answer general questions about their experiences using the mobile app participating in the weekly zoom webinars, and using mindfulness techniques outside of regular practice times in the post-program survey.

Overall Findings

- There is interest among at least some members of the court community in learning about and trying mindfulness. Despite advertising the program for just over a week and offering it during the summer months which often involve vacation or other travel plans, 238 people registered for the program.
- Some members of the court community are indeed experiencing heightened levels of stress as indicated by the baseline results of the Perceived Stress Scale. The average score for the 176 participants completing the baseline assessment was 19.9. Previous national surveys reported averages between 11.4 and 20.2, varying across years and specific demographic groups.¹³ Half of those completing the baseline assessment had a score of 21 or higher.
- There was substantial attrition in the number of participants who completed the weekly surveys and the baseline, post-program, and follow-up assessments. It is not known whether those who opted out of participating in the data collection effort also stopped meditating. High attrition rates are common in mindfulness-based self-help interventions, particularly in those that are conducted online.¹⁴ While there are no data to indicate why participants stopped responding to the surveys, some possibilities include the study length and time commitment required for participation, a lack of dedicated work time to complete the intervention, and survey fatigue from completing lengthy surveys at three time points. No substantial differences in demographics were found between those who responded to the baseline surveys and those who also completed the post-program and follow-up surveys.
- For the 49 participants who were actively engaged in the program and who completed assessments at baseline, post-program, and follow-up, the results suggest that there

was an increase in mindfulness accompanied by significant improvements in overall stress and well-being. More specifically:

- Higher levels of self-reported mindfulness were associated with lower levels of self-reported stress. Between baseline and post-program assessment, mindfulness improved among respondents and stress decreased. These improvements held steady at the follow-up assessment as well.
- Lower levels of self-reported stress were associated with higher levels of self-reported wellbeing. Between baseline and post-program assessment, stress decreased among respondents and well-being increased.

As a result of high attrition and the use of a convenience sample rather than a control group, our findings must be interpreted with caution even though promising.

- The majority of the 62 participants who evaluated the Healthy Minds app in the post-program survey found it very easy to use and mostly or very engaging. A majority also indicated that they would recommend it to others. Participants commented that the app was well laid out and user-friendly and that the content was easily understood and relatable.
- The majority of the 60 participants who responded to questions about the weekly Zoom webinar sessions found them at least somewhat useful to their mindfulness practice, and almost half of these survey respondents found them to be very useful. Similarly, most thought that the sessions were engaging¹⁵ and would recommend them.
- At the end of the program, most of the 63 participants responding to a question on their use of mindfulness, reported that they sometimes found themselves incorporating mindfulness techniques throughout the day, and almost a third reported they had done so frequently during the last eight weeks. In addition, 69% of the 62 participants responding to a follow-up question indicated that they were able to use mindfulness techniques when faced with difficult situations at work.
- Of the 89 participants who responded to the follow-up survey a month after the program ended, 79% indicated that they still practiced mindfulness at least 1-2 times a week, if not daily.

Recommendations and Lessons Learned

- Almost all survey respondents thought it would be helpful for courts to offer mindfulness programs to judges and court staff (95% of 63 participants responding to the question; 5% were unsure).
- A few participants also offered comments on the mindfulness education program in general, expressing their gratitude:
 - Please continue this work. My team downloaded the app and I have told everyone I know about it because it really creates a space to practice mindfulness in your busy

daily life in short increments and the content is very easily understood and relatable.

- Thank you for taking the time to do this study for court employees. It is rare that people understand how much adversity this profession faces on a daily basis. Being mindful of our interactions and displaying kindness to all people that we interact with can change the profession and the court experience for the better.
- Excellent program; thank you for offering it.
- I have found myself increasingly looking forward to Monday afternoon knowing that I would have the chance to participate and feel rested and centered after the class.
- Building a program around a mobile app is a cost-effective way to provide mindfulness training, especially to a large number of participants, some of whom might be working remotely. The app allowed for flexibility in practice schedules, and only a few participants expressed frustration with the app itself.
- Some participants found the virtual weekly meetings very helpful. Because we promised anonymity to participants and we did not know how large the audience would be, we did not initially use the chat function. During the last couple sessions, we opened the chat for those who wanted to use it. The ability to communicate with the instructor and with the other participants was welcome by some participants, suggesting that it would be worthwhile to consider options for creating a community for those in the program who want to ask questions and share their experiences. Having the community experience may be helpful to some for staying engaged with their practice.
- One major theme among participants who had constructive feedback was that the timing of the webinar sessions was inconvenient. They suggested that a spring program would have been easier to attend than the summer one, or that another day of the week would have worked better, and that meditation sessions should have been longer (e.g., an hour), more often during different times of the week, or for a longer period (e.g., 12 weeks). All these concerns could be addressed with potential participants if offering at the state or local level.
- Reported barriers to ongoing participation focused most often on the lack of time or difficulties in scheduling. Being frustrated at the lack of time and feeling as though one had fallen behind was a theme, and this was given as the reason for quitting. Future programs may benefit from reminding participants of strategies to overcome common challenges in mindfulness practice (for example, see practice tips in *Mindfulness for the Court Community Frequently Asked Questions*).¹⁶ In addition, future programs could do more to help participants think through a plan for when and where they will take the time to practice each day. Research shows that creating a simple implementation plan can help people better translate their goals and intentions into action.¹⁷

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Endnotes

¹ National Center for State Courts. (2022). *Just Horizons: Charting the future of the courts*. Available at www.ncsc.org/justhorizons. See pp. 8-9 for examples of key drivers of change facing courts.

² See, for example, American Psychiatric Association (December 21, 2022). *News release: Americans anticipate higher stress at the start of 2023 and grade their mental health as worse*. Available at:

<https://www.psychiatry.org/News-room/News-Releases/Americans-Anticipate-Higher-Stress-at-the-Start-of#:~:text=More%20than%20one%20in%20four,percentage%20points%20from%20last%20year>. Also see, American Psychological Association (October 19, 2022). *More than a quarter of U.S. adults say they're so stressed they can't function*. Available at <https://www.apa.org/news/press/releases/2022/10/multiple-stressors-no-function>.

³ Casey, P. (2018). *Mindfulness and the courts*. Available at

<https://cdm16501.contentdm.oclc.org/digital/collection/judicial/id/482/rec/1>.

⁴ Sutcliffe, K. M., Vogus, T. J., & Dane, E. (2016). Mindfulness in Organizations: A Cross-Level Review. *Annual Review of Organizational Psychology and Organizational Behavior*, 3, 55-81.

⁵ Survey respondents to the American Psychiatric Association poll cited in endnote 2 identified meditating and using a mental health app as two strategies they planned to use in 2023 to reduce their stress, supporting the need to provide access to such opportunities.

⁶ Healthy Minds Innovations, Inc. <https://hminnovations.org/meditation-app>

⁷ See Mindfulness Education Program Instructions at <https://perma.cc/6PSW-PA22> and Suggested Curriculum Using the Healthy Minds App at <https://perma.cc/N9J4-V66R>.

⁸ The recorded sessions are available on the Vimeo platform at <https://vimeo.com/showcase/9644785>.

⁹ At the time of developing the study, all three of these assessments were generally available for research purposes. In 2022, the Perceived Stress Scale was copyrighted by RST Assessments; some restrictions may apply when using the instrument in the future.

¹⁰ See Brown, K. W. (n.d.). *Mindful Attention Awareness Scale*. Available at

<https://www.drugsandalcohol.ie/26792/2/MAAS%20trait%20research-ready.pdf>.

¹¹ Cohen, S., & Williamson, G. M. (1988). Perceived stress in a probability sample of the United States. In S. Spacapan & S. Oskamp (Eds.), *The social psychology of health*. Newbury Park, CA: Sage.

¹² See Kern, M. L. (2014). *The Workplace PERMA Profiler*. Available at

https://www.peggkern.org/uploads/5/6/6/7/56678211/workplace_perma_profiler_102014.pdf.

¹³ Cohen, S., & Janicki-Deverts, D. (2012). Who's stressed? Distributions of psychological stress in the United States in probability samples from 1983, 2006, and 2009. *Journal of Applied Social Psychology*, 42(6), 1320-1334. <https://doi.org/10.1111/j.1559-1816.2012.00900.x>. The lowest average stress score of 11.4 was for survey respondents with an advanced degree in the 1983 sample, and the highest average score of 20.2 was for unemployed survey respondents in the 2006 sample.

¹⁴ While high attrition rates indicate that participants have stopped responding to surveys, they do not give any indication as to whether participants are still practicing mindfulness, nor do they indicate the reasons why participants may have abandoned the study or their mindfulness practice. For examples of similar studies with similarly high attrition rates and greater discussion regarding potential causes, see Bailey, N. W., Nguyen, J., Bialylew, E., Corin, S. E., Gilbertson, T., Chambers, R., & Fitzgerald, P. B. (2018). Effect on well-being from an online mindfulness intervention: "Mindful in May". *Mindfulness*, 9, 1637-1647 and Cavanagh, K., Strauss, C., Cicconi, F., Griffiths, N., Wyper, A., & Jones, F. (2013). A randomised controlled trial of a brief online mindfulness-based intervention. *Behaviour research and therapy*, 51(9), 573-578.

¹⁵ The total number of respondents for this question was 59.

¹⁶ See Attachment A: Mindfulness Meditation Practice Tips in *Mindfulness for the Court Community Frequently Asked Questions* available at https://www.ncsc.org/_data/assets/pdf_file/0027/90369/Mindfulness-FAQ.pdf.

¹⁷ For example, see Gollwitzer, P. M. (1999). Implementation intentions: Strong effects of simple plans. *American Psychologist*, 54(7), 493–503. <https://doi.org/10.1037/0003-066X.54.7.493>.
Gollwitzer, P. M., & Sheeran, P. (2006). Implementation intentions and goal achievement: A meta-analysis of effects and processes. In M. P. Zanna (Ed.), *Advances in experimental social psychology*, Vol. 38, pp. 69–119). Elsevier Academic Press. [https://doi.org/10.1016/S0065-2601\(06\)38002-1](https://doi.org/10.1016/S0065-2601(06)38002-1).
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Mantzios, M., & Giannou, K. (2018). A real-world application of short mindfulness-based practices: A review and reflection of the literature and a practical proposition for an effortless mindful lifestyle. *American Journal of Lifestyle Medicine*, 13(6), 520–525. <https://doi.org/10.1177/1559827618772036>.