

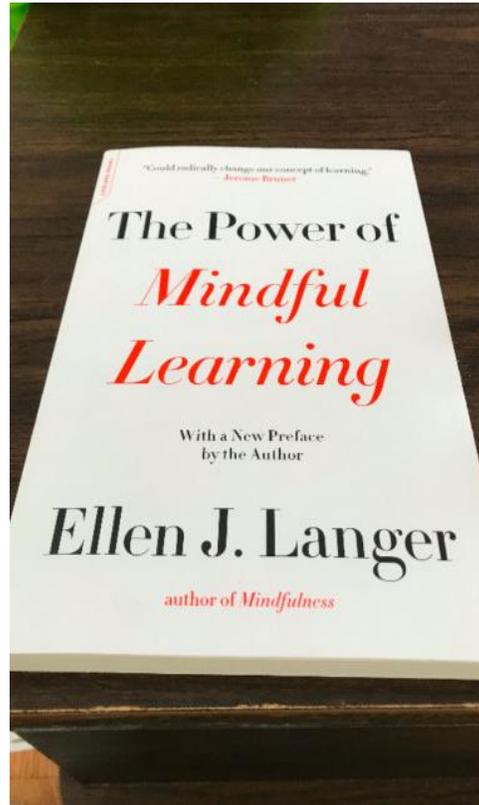
**TOWARDS AN INTEGRATED LEGAL EDUCATION
A CONSCIOUS WAY OF STRENGTHENING THE WELL
BEING OF LAWYERS AND LAW STUDENTS IN INDIA**

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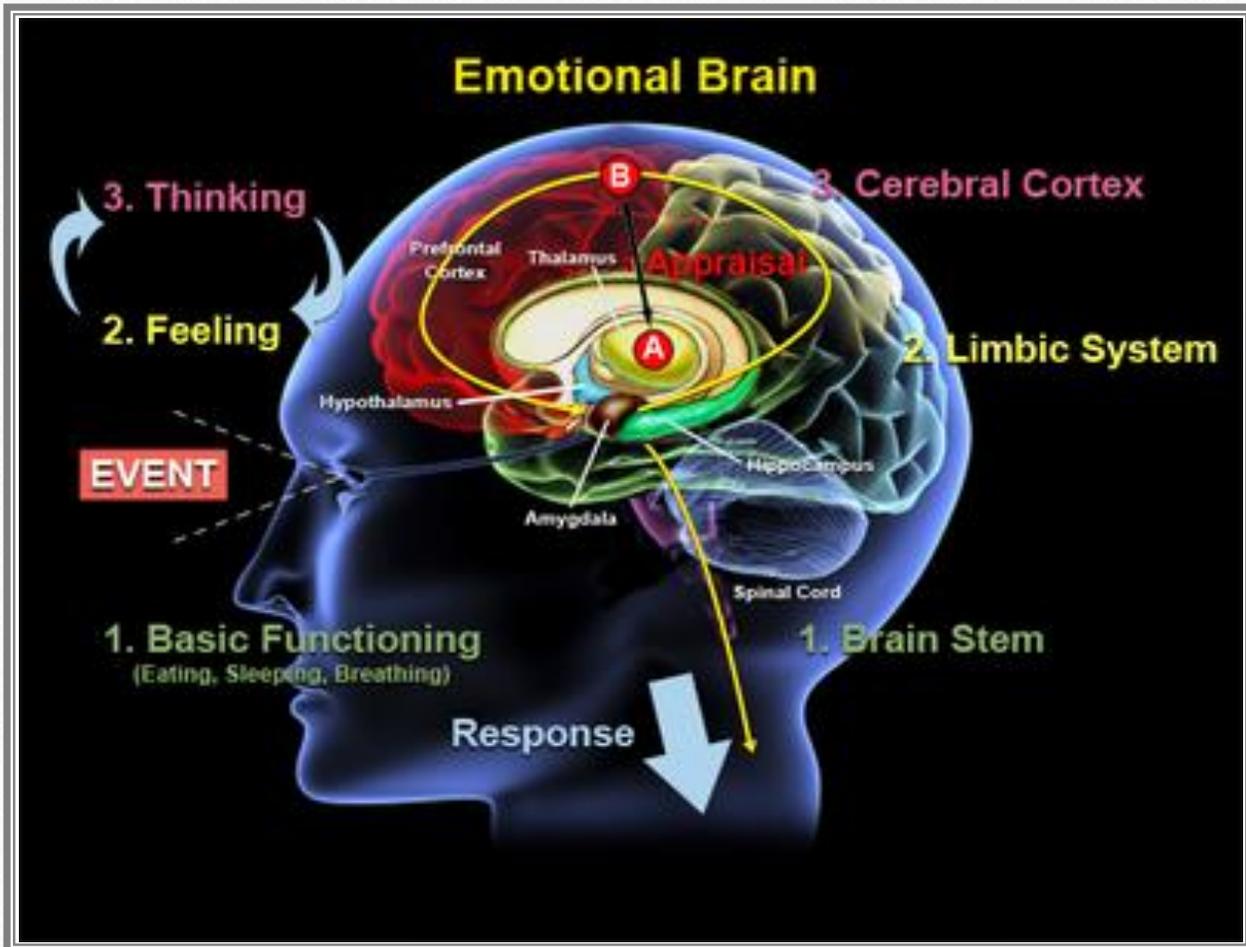
- Mindfulness is the remarkably simple process of noticing things - Ellen J. Langer

WELL BEING



- **Thinking like a lawyer and not feeling like a lawyer**
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- **Application of emotional intelligence offers a unique opportunity for students to unfold the hidden skills essential to feel like a lawyer**



BRAIN STRUCTURE AND NEUROLOGICAL UNDERPINNINGS

- <https://psychologywis.weebly.com/the-emotional-brain.html>

Two sides of our brain

One is neocortex, cognitive side of brain which consist intelligence and working memory.



And the other part is the amygdala the feeling side of our brain emotional. necessary for survival and it responds 100 times faster than cognitive side, particularly in life threatening situation

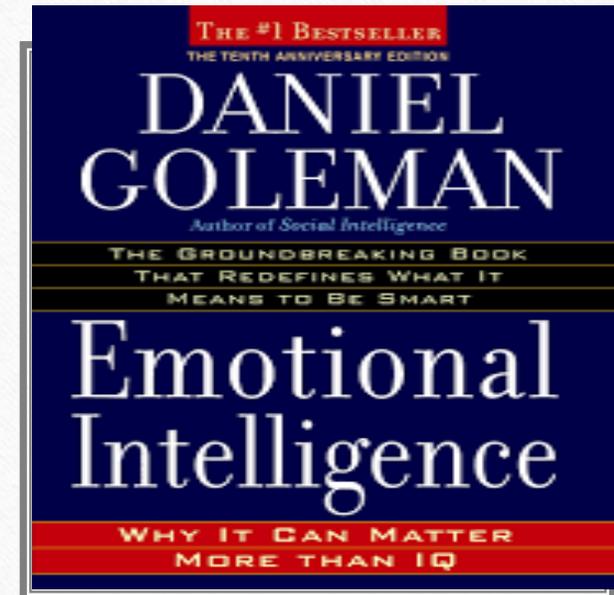
Cognitive Side

- In normal emotional state the cognitive side has the capacity to assess the factorial of 4 variables which is 24 possible interrelationships
- That is developing a strategy, fixing priorities understanding consequences, keen observation of data etc.
- But if emotions hijacked, then the ability to reason drops. With slightest provocation our ability to apply reason and logic can drop by 75%.

EMOTIONAL INTELLIGENCE AND ITS IMPACT ON LAWYERS

- “capacity for recognizing our own feelings and those of others, for motivating ourselves, and for managing emotions well in ourselves and our relationships.”

- DANIEL GOLEMAN, WORKING WITH EMOTIONAL INTELLIGENCE 317 (1998).



But how does this specifically relate to the practice of law?

- **EI in the law is of primary importance for several reasons.**
- **EI has been found to be as important, if not more so, than IQ for academic and job performance;**

- David L Van Rooy & Chockalingam Viswesvaran, Emotional Intelligence: A MetaAnalytic Investigation of Predictive Validity and Nomological Net, 65 J. VOCATIONAL BEHAV. 71, 81 (2004).

- **EI is essential in leadership**

- Nicholas Clarke, Emotional Intelligence and Learning in Teams, 22 J. WORKPLACE LEARNING 125, 125–45 (2010).

- **Many tasks required of lawyers entail EI competencies (e.g., negotiation);**

- Kimberly Leary et al., Negotiating with Emotion, HARV. BUS. REV. 100 (2013)

- **EI skills improve the mental health among legal professionals**

- Sarah K. Davis & Nei Humphrey, Ability Versus Trait Emotional Intelligence: Dual Influences on Adolescent Psychological Adaptation, 35 J. INDIVIDUAL DIFFERENCES 54, 57 (2014)

- **Greater rates of EI lead to increased happiness, life satisfaction, and wellbeing rates, and, therefore, decrease lawyer burnout**

- Reuven Bar-On, The Impact of Emotional Intelligence on Subjective Well-Being, 23 PERSPECTIVES IN EDUC. 1, 1–22 (2005).

- **EI skills can also be taught and developed**

- Kathryn Thory, Teaching Managers to Regulate Their Emotions Better: Insights from Emotional Intelligence Training and Work-Based Application, 16 HUM. RESOURCE DEV. INT'L 4, 14 (2013).

Multiple Intelligences theory of Howard Garner

The question is not
"How smart are you?"
it's "How are you smart?"

SchoolCounselingByHeart.wordpress.com

In his Book, Frames of Mind: The Theory of Multiple Intelligences

- Gardner broadened the definition of intelligence to include eight unique aspects.
- Two of the fundamental aspects of the theory are interpersonal intelligence (the capacity to understand the intentions, motivations, and desires of other people) and intrapersonal intelligence (the capacity to understand oneself, to appreciate one's feelings, fears, and motivations), both of which now make up the core of EI models
- HOWARD GARDNER, FRAMES OF MIND: THE THEORY OF MULTIPLE INTELLIGENCES 5 (1st ed. 1983).

Conceptual Model of Emotional Intelligence

- **The Encyclopedia of Applied Psychology**
- **Suggests three major conceptual models**

- Intelligence, Emotional, ENCYCLOPEDIA OF APPLIED PSYCHOLOGY 315–19 (Charles Spielberger et al. eds., 2004).

FIRST MODEL

- (1) the Salovey-Mayer model (perceive, understand, manage, and use emotions to facilitate thinking)

- John D. Mayer & Peter D. Salovey, What Is Emotional Intelligence?, in EMOTIONAL DEVELOPMENT AND EMOTIONAL INTELLIGENCE: EDUCATIONAL IMPLICATIONS 5 (Peter D. Salovey & David Sluyter eds., 1997)

SECOND MODEL

- (2) the Goleman model (competencies and skills across four areas: self-awareness, self-management, social awareness or empathy, and relationship management)
- Daniel Goleman, An EI-Based Theory of Performance, in *THE EMOTIONALLY INTELLIGENT WORKPLACE: HOW TO SELECT FOR, MEASURE, AND IMPROVE EMOTIONAL INTELLIGENCE IN INDIVIDUALS, GROUPS, AND ORGANIZATIONS 2* (Cary Cherniss & Daniel Goleman eds., 2001)

THIRD MODEL

- 3) the Bar-On model (interrelated emotional and social competencies including self-perception, self-expression, stress management, decision making, and interpersonal)
- The Emotional Quotient Inventory (EQ-i), CONSORTIUM FOR RES. ON EMOTIONAL INTELLIGENCE IN ORG

Key Aspect of EI

- Each of the three primary models of EI magnifies the central role of ER in intelligent behavior. One's ability to express the right emotion, to the right degree, at the right time,

- DANIEL GOLEMAN, EMOTIONAL INTELLIGENCE: WHY IT CAN MATTER MORE THAN IQ 80 (2006)

- Each emotion serves a particular purpose and prepares the body for a very different kind of response
- Emotions involve an array of physiological and social responses known as biological signatures.
- Emotions allow us to act quickly without having to reason, serving an important survival function

THREE KEYS

- **Mastering Emotional Intelligence in everyday Life**

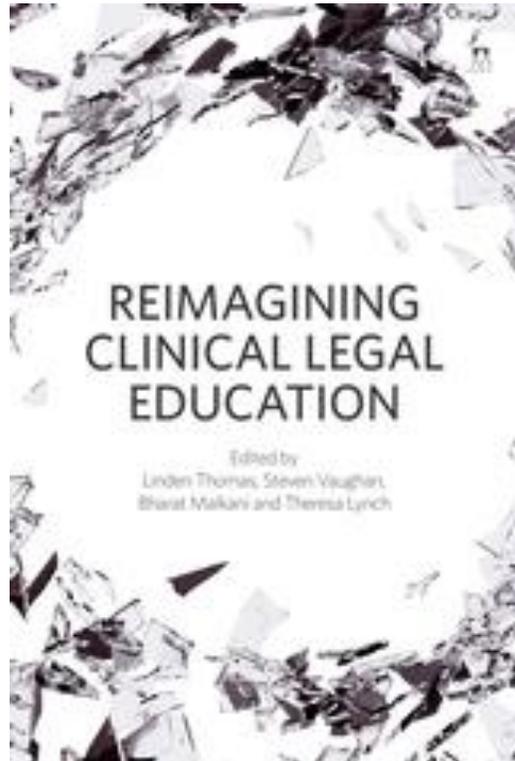
THE CHANGING DIMENSIONS OF LEGAL EDUCATION IN INDIA



**BCI Rules of Legal Education
(First Amendment) Rules, 2016**

INTEGRATED LEGAL EDUCATION

- The new challenges and dimensions of educating law students need a focus on the integrated approach of both analytical and emotional skills of lawyering



EMOTIONAL INTELLIGENCE IN CLINICAL LEGAL EDUCATION

- **A few practical ways to integrate Emotional Intelligence into the law school curriculum are, to integrate EI skills in the practice-based courses like clinic externships, and dispute resolution classes**

A REFLECTIVE PRACTICE DESIGN

- **A reflective practice design for emotional intelligence in Clinical Legal Education**
- Douglas – Volume 9, Issue 2 (2015)

PROGRAMMES OFFERED BY LAW SCHOOLS

- Practical training sessions in Mediation and Conciliation
- Legal Aid Clinic
- Legal problem solving / Project Based Learning / Clinical Methodology in Law teaching

SUGESSTIONS