

## **Integrative Law: Adding Value(s) to Client Relationships**

By Pamela J.P. Donison

Fair warning: Some of you are not going to like this idea, but if you were brave enough to get past the headline, **welcome** to an energetic, grass-roots movement that is impacting your practice, whether you know it or not. Integrative Law is everywhere, it seems, and it originated internally (lawyers who wanted a more fulfilling practice) and externally (clients who wanted a more holistic approach to their disputes). Integrative Law encompasses a new way of approaching the law, ourselves, and our clients.

Indicators that the movement has gained traction appear in member organizations such as the ABA's Legal Rebels, International Alliance of Holistic Lawyers and International Academy of Collaborative Professionals, websites like Cutting Edge Law, conferences such as The Mindful Lawyer, and books like *The New Lawyer: How Settlement is Transforming the Practice of Law* by Julie Macfarlane (UBC Press, 2008) and *Lawyers as Peacemakers: Practicing Holistic, Problem-Solving Law* by J. Kim Wright (American Bar Association, 2010). In fact, if this movement has a poster child, it is probably Wright, who speaks out in favor of integrative practices all over the country and has been rewarded with an ABA bestseller. Integrative Law is an idea whose time has come.

So what the heck is Integrative Law and why should you care? Integrative Law ("IL") is the legal corollary to integrative medicine and, because I practice family law, I use that example; however, the IL approach is adaptive to all practice areas. Integrative Law, like integrative medicine, is the difference between treating a symptom and healing the person. To illustrate the correlation of principles of IL, I have used the model provided by the University of Arizona's Center for Integrative Medicine:

### *The Defining Principles of Integrative ~~Medicine~~ Law*

1. *Patient Client and ~~practitioner~~ lawyer are partners in the healing resolution process.*
2. *All factors that influence ~~health, wellness, and disease~~ healthy relationships, children's best interests, and conflict are taken into consideration, including mind, spirit, and community, as well as the ~~body~~ legal issues.*
3. *Appropriate use of both conventional and alternative methods facilitates the ~~body's~~ client's innate healing resolution ~~response~~ abilities.*
4. *Effective interventions that are natural and less invasive should be used whenever possible.*
5. *Integrative ~~medicine~~ law neither rejects conventional ~~medicine~~ litigation nor accepts alternative ~~therapies~~ dispute resolution methods uncritically.*
6. *Good ~~medicine~~ dispute resolution is based in ~~good-science~~ best practices. It is inquiry-driven and open to new paradigms.*

7. *Alongside the concept of treatment dispute resolution, the broader concepts of healthy relationship promotion and the prevention of illness post-judgment disputes are paramount.*

8. *Practitioners of integrative medicine law should exemplify its principles and commit themselves to self-exploration and self-development.*

(<http://integrativemedicine.arizona.edu/about/definition.html>, Copyright 2010 © Arizona Board of Regents, The University of Arizona, Tucson, Arizona)

So how does this play out in the usual family law case? *Mother and Father are divorced with two school-age children and are fairly good at co-parenting. Mother is in a serious relationship and Father is remarried. Mother decides to move into her boyfriend's home. Mother is not ready to remarry and it would terminate her spousal support. Father does not approve of the living arrangements. Father seeks legal intervention to stop the move, stop parenting time, stop spousal support, and modify child support. The unspoken issue in this case is that the parents don't communicate effectively. Mother didn't talk to Father first for fear of reprisal, so he heard the news from the children, which was surprising and upsetting to Father, resulting in ... you guessed it ... reprisal!*

In a **usual scenario**, the attorney for Father (who harbors a secret affection for the phrase "zealous advocate") will file a few motions, some of them on an emergency basis, and write at least two scathing letters. Mother's attorney will respond, upping the ante by a factor of two, and will write no less than three scathing letters. Litigation is commenced with very little (if any) contemplation of what started this argument or how to resolve it for the benefit of everyone, especially the children.

In the **Integrative Law scenario**, the attorneys will recognize emotional factors at play beyond the legal claims and work to resolve the underlying issues. This is similar to the medical model, where your cardiologist may identify warning signs of both heart disease and a too-stressful lifestyle. In both cases, we can put a bandage on the issues named by the client (chest pains / moving in with the boyfriend), but if we fail to address the underlying causation (stress / unresolved communication issues), we have not "healed" the client or resolved the problem.

I can sense some of you shaking your heads and saying, "That's nothing new, Pamela!" What's different in the IL model is that you will learn to partner with your lawyer colleagues as co-problem solvers instead of adversaries. You will have established a relationship of trust in order to speak frankly about the underlying issues and how best to assist the parties in resolving the problems so that they can create a meaningful co-parenting relationship. Just like the cardiologist who consults with the radiologist and nutritionist to help you get your health on track, you will work in a paradigm that values the use of other professionals to create real solutions. You will have achieved "compassionate detachment" and "letting go of outcome," which are very difficult ideas for attorneys but may be the most valuable service we can offer clients as it allows them to create their own solutions.

The Vision Statement of the International Alliance of Holistic Lawyers sums it up: "*The IAHL envisions a world where lawyers are valued as healers, helpers, counselors, problem-solvers,*

*and peacemakers. Conflicts are seen as opportunities for growth. Lawyers model balanced lives and are respected for their contributions to the greater good.”*

Obviously, IL is not for everyone. Many attorneys will not have the patience, wisdom, insight, or strength of character to work this way. Others will not want their “bottom line” to be negatively impacted by peaceful, lasting solutions. Some of you (gasp!) are addicted to the adrenalin rush that comes with high conflict, and you like being in control of other’s lives and money. However, there are a few intrepid souls (you know who you are!) who welcome the idea of being a “New Lawyer”, practicing Integrative Law in partnership with clients and colleagues to resolve problems in creative ways, and want to leave the old-school, adversarial process behind. If you are one of these “Cutting Edge Lawyers,” I invite you to step confidently into your role and here are some resources for you:

**ABA’s Legal Rebels:** <http://www.legalrebels.com/>

**International Alliance of Holistic Lawyers:** <http://iahl.org/>

**International Academy of Collaborative Professionals:** <http://collaborativepractice.com/>

**Cutting Edge Law:** <http://cuttingedgelaw.com/>

**The Mindful Lawyer:** <http://www.law.buffalo.edu/baldycenter/mindfullaw/>

Macfarlane, Julie, *The New Lawyer: How Settlement is Transforming the Practice of Law* (UBC Press, 2008)

Wright, J. Kim, *Lawyers as Peacemakers: Practicing Holistic, Problem-Solving Law* (American Bar Association, 2010)

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About Pamela Donison:

Following a 15-year career in journalism and book publishing, Pamela attended the University of Arizona James E. Rogers College of Law, graduating in 1999. After a few too many high conflict litigation cases, Pamela created Donison Law Firm, PLLC in 2005, with an emphasis on out-of-court solutions, including arbitration, mediation, collaborative law, and negotiated settlements. Pamela has an undergraduate degree in Business Management which she uses to assist clients in Double Divorce.

Pamela is a Judge Pro Tem and Mediator for Maricopa County Superior Court. She is founder of Arizona Collaborative Colleagues, president of the Arizona Women Lawyers Association, on the board of directors for the Arizona Chapter of the Association for Conflict Resolution, arbitrator for the State Bar and the State of Arizona Personnel Board, and is an active member of a number of other professional organizations.

When she’s not changing the world, Pamela is a wife and mother, an award-winning photographer, active blogger, and mentor to other women entrepreneurs.