

## History of the Name Integrative Law

In my first book, *Lawyers as Peacemakers*, I wrote about the emerging movement. At that point, I was reluctant to assign one name when so many were in use and I didn't feel qualified to name a whole movement when I was just one member of a community. At that time, integrative law was one of a dozen names that were being used to describe the movement. Because the approaches have gone by so many names, I usually just referred to "the movement." I sometimes also expressed it as an inquiry: "What if lawyers were peacemakers, problem-solvers, and healers of conflicts?"

In 2011, restorative mediation pioneer, Ken Jaray of Colorado, suggested it was time for a gathering of lawyers in the movement. He agreed to play host to an event in Manitou Springs, Colorado. We thought that we would like to have a group of about 20 and therefore invited a few more than 30. This was our invitation:

*While this is blind-copied to a couple of dozen of you, this invitation is personal to you. We have hand-picked a cross-section of leaders in creating new models of legal practice, legal education and societal transformation. I assure you that you are in good company.*

*Kindly take a few moments to read over our invitation. If coming together with leaders who get things done appeals to you, please join us.*

### *An Invitation to Change Leaders in Law*

*Over the years, I've come across some true leaders in this movement. These leaders are the ones who create the visions and then, rather than just talking and delegating, they make sure that everything gets done. They're always looking for what to do next that will make a difference. They're on the cutting edge of ideas and projects. They tend to be people of broad interests, deep compassion, and solid intelligence in all the senses of that word: intellectual, emotional and spiritual intelligence. They are the change-makers who help society evolve. They are passionate about what they do and can't imagine being any other way.*

*You are one of those leaders.*

*From time to time I have been blessed to have conversations with such leaders. On occasions where more than one of us has been in conversation, the energy we produced surely expanded the realm of what was possible in the world. Those conversations have blessed, empowered, strengthened and sustained me. They have inspired me to carry on my work, to try new approaches, to step out in areas where I would otherwise not be confident.*

*My next step is to intentionally create spaces where we can come together for such powerful conversations, share resources and strategize about what to do next to build an integrated legal system that combines the stability and safety of the existing system with the human values of the emerging system. It is time to add some conscious coordination of redesigning the legal system.*

*With Ken Jaray, one of these leaders in restorative mediation, I am putting together a think tank-oriented retreat in Colorado in October. It will be the first of what we hope will be many retreats where leaders are called together to share ideas, content, resources, and sustenance with each other. The retreat will be by invitation only. We see this as the first, foundational retreat of many*

*more to come, perhaps even a leadership academy, and have put together a list of the most effective leaders we know.*



*We want to clone you, support you and celebrate you. We want to give you opportunities to co-create with each other. (In my life, it is a treat to meet someone with whom I can be my whole self and I don't have to hide parts of my to-do list for fear of overwhelming someone.) We'll be exploring how to teach leadership skills to lawyers, create sustainable projects and harvest knowledge to be shared among our community. We're looking for the most diverse mix of ideas, stakeholders and perspectives that we can get. Academics, practitioners, administrators, and policy-makers are on the list of invitees – it is an impressive group. All have gone beyond the practice of law or teaching to create projects that benefit broader communities.*

Our invitations were cognizant of diversity of all kinds. In the end, thirty people accepted the invitation and attended the Summit.

It was a meeting without a preconceived agenda or structure, leaders coming together to talk about our work in the world. We had judges, professors, law students, a legislator, and representatives of collaborative law, restorative justice, sharing law, business, intellectual property, securities and more. Because we were beginning on a Sunday afternoon and flights into Colorado Springs were limited, we arranged to begin with a drop-in conversation café-style session. Questions were placed on tables and participants rotated from table to table every few minutes. They got to know each other by their passions, purposes, and values, not their titles or jobs. Camaraderie developed quickly.

The next morning, we sat in a circle. Susanne Hoogwater, a graphic recorder and lawyer-mediator, captured our conversations. I talked for a few moments and then asked what we wanted to do. From the floor came a suggestion that we needed a name to describe the movement that encompassed all our legal approaches. The conversations of the day before had demonstrated a common core and a name was needed.

I was reluctant. For more than a decade, I'd attended gatherings where the goal was to find a label that everyone could accept. It hadn't happened and I didn't want to spend the whole event on that task. But, I relented.





- *community lawyering,*
- *relationship based lawyering*
- *problem-solving and collaborative courts, including drug courts, veteran's courts, mental health courts.*

*Policy initiatives related to integrative law include*

- *therapeutic jurisprudence,*
- *integrating spirituality, law and politics,*
- *legal renewal*
- *earth jurisprudence,*
- *deliberative democracy dialogue and civic engagement.*

*Other aspects of the legal system addressed by the Integrative Law movement include*

- *humanizing legal education,*
- *promoting emotionally competent lawyering,*
- *enhancing wisdom and compassion throughout all interactions with the legal system,*
- *encouraging accountability, engagement, and restoration,*
- *responding to societal changes mindfully,*
- *resolving conflicts, and*
- *promoting client centered lawyering.*

*There are initiatives having to do with contemplative practice in law, uniting the inner life of the lawyer with the lawyer's work, and the well-being of lawyers and the stakeholders in the legal system. Topics like forgiveness, apology, empathy, mindfulness, neuroscience, and emotional intelligence are subjects of inquiry and study. Skills like listening, non-violent and non-defensive communication are also explored, alongside the more common legal advocacy skills like types of thinking and problem-solving. Integrative lawyers strive toward civility and professional, ethical behavior as advocates, inside and outside the courtroom.*

*While not yet well-known in the mainstream, it is akin to the integrative medicine movement in bringing new ideas and perspectives into an existing system. Some approaches of the movement are more widespread and mainstream than others. For example, over 50,000 lawyers have been trained in one model, collaborative law. There are thousands of problem-solving courts in the United States and internationally. Only a handful of lawyers would call themselves lawyer-coaches. Restorative Justice is practiced by both lawyers and non-lawyers.*

*The approaches share similar core values. At the heart of the movement, is a shift in law from a system that focuses on differences and separation to a system that includes and honors the opinions, perspectives and humanity of all stakeholders. Integrative law takes a broader view of stakeholders to acknowledge that legal problems and controversies do not arise in a vacuum but are part of complex, inter-related systems. Preventing conflict and encouraging sustainable relationships is as important (or more) than resolving it. The models, approaches, and policy initiatives have arisen in response to a new awareness of interconnectedness.*

*Efforts are underway to integrate these emerging and existing legal approaches with other sectors of society such as conscious business and economics, ecological sustainability, organizational development, collaborative government and others.*

*The Integrative Law movement finds expression through a range of organizations and individuals, from the large to grassroots. Due to its large membership, varying and strong beliefs, and occasionally cutting-edge nature, the movement is not always unified in its goals or strategies. Many involved in one area of the integrative law movement are not aware of their counterparts in other models, an indication of the diverse participants and processes in the movement. (For example, a collaborative lawyer may not know about the restorative justice movement, even though they share many foundational principles, values and perspectives, just as lawyers working in the area of environmental policy may not be aware of developments in divorce law.)*

*Integrative law recognizes that the legal system is a foundational institution of government and, while primarily involving lawyers, includes others who are interested in legal issues. At its broadest, the movement includes private citizens, professionals of all disciplines, students, public policy makers, and journalists who are impacted as users of the legal system.*

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The page was rejected by Wikipedia. We've since learned that new contributors to Wikipedia are observed with suspicion and the assumption is that they have a personal, usually commercial, stake in the page. Research showed that it took almost two years to approve a page for Integrative Medicine. Independent mentions of the term in media would improve our chances. We decided to back off and to allow the use of the term to make it into the media and more general usage.

### **Beyond the Summit**

As we'd hoped, the term "Integrative Law" began to be used. Many lawyers who heard the term embraced it. Social media groups were formed by people we didn't even know. Organizations were created.

In August, 2013, the American Bar Journal even published an article with the headline: "Is the integrative law movement the next 'huge wave' for the legal profession?"

The article set out this description of Integrative Law:

Unlike traditional law practice, which is often competitive and aggressive, integrative lawyers are trying to simultaneously make a difference in the world, earn a good living and lead satisfying personal lives. According to Pauline Tesler, director of the Integrative Law Institute, integrative law is the "umbrella term for a variety of vectors that have become more widely

known” in the past few years. The movement encompasses some forms of mediation, restorative justice, collaborative practice, and even elements of positive psychology and social neuroscience.

Integrative lawyers focus on out-of-court solutions and the well-being of all players in the legal system—lawyers and clients included. Over the past several years, the movement has gained momentum. And Tesler, who has trained more than 6,000 people in integrative law principles over the past 20 years, is convinced it is the next “huge wave coming to the legal profession.”