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Mindful Lawyering Newsletter from the Mindfulness & Well-Being in Law  
Committee of the New York City Bar Association

Issue No. 4 | Spring 2023

## Welcome to the Mindfulness and Well-Being in Law Committee Newsletter!

**About Us:** We are a Committee of the New York City Bar Association and are here to serve the legal community in pursuit of balance. The Mindfulness & Well-Being in Law Committee provides programming, events, and resources to support member's wellness through the practice of mindfulness, including meditation, mindful movements, and other modalities that help bring one back to the present moment. Studies have found that mindfulness practices can assuage stress and anxiety, enhance emotional resilience, decrease implicit bias and reactivity, and increase creativity and productivity.

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## Message from Chair, Lisa Podemski, Esq.

Transitions are often difficult, I know they are for me. I am just returning from a yoga retreat and back to work and regular life. It's a tough one. How can I keep some of the peace and freedom with me when I come back to such urgency and disarray?

The transition to a new season also brings with it a bit of messiness. A change in temperature might make you want to put away your winter coats, but there's still a winter chill left in your bones. We often want to rush through transitions, to get to where we think we're heading, as if the destination was the point. The truth is it's best to slow down during these periods of change.

Pay attention to the little things and what of yourself and your experiences you can hold onto and what you can let go. Take it slow. Appreciate the longer days and acknowledge that you are tired and irritable because of the time change. Notice how as things transition they often regress in the process. Appreciate the late winter snow as you look forward to Spring's blossoming. Savor what is happening in the moment and notice how the present is always there to ground you when you feel like everything is moving just a little bit too fast.



Thanks to our contributing members Wendy Chaite, Jordana Confino, Ishani Dash, Katiuska Moure, Stacy Lefkowitz Schaffer, Wendy Silva and Hope Weiner

To submit comments, suggestions or your written work for consideration in future newsletters, email: [mindfulness.citybar@gmail.com](mailto:mindfulness.citybar@gmail.com)

# SELF-COMPASSION: THE SECRET SUPER POWER OF HIGH ACHIEVERS

by Jordana Confino, Esq.



In the most recent episode of the Mindful Lawyering podcast, I had the great pleasure of discussing one of my favorite topics, self-compassion, with Aimee Latorre.

WAIT! If you're about to dismiss this article as touchy-feely fluff, please hear me out.

I get it. Until fairly recently, self-compassion was a topic you couldn't get me to touch with a ten-foot pole. For most of my life, I attributed my success to the ruthless drill sergeant inside my head -- the one telling me I wasn't good enough, that I was weak and lazy, and that I had to work harder to avoid being "found out." I was convinced that self-flagellation equaled motivation, and that going "easy on myself" would only lead to mediocrity.

This seemed to work for a time — until it didn't, and I eventually ran myself into the ground. (I say "seemed" to work because the more I achieved during this time, the more anxious and insecure I grew, as I was terrified of being deemed a disappointment if I couldn't clear that bar again. Hard to call that winning!).

Finally, during what was probably my most intense period of burnout, my therapist said something that changed my life. She asked me:

"Jordana, if you had a racehorse that had broken down from pain and exhaustion, would you just keep whipping it to try to get it to get up and run faster?"

"No, obviously not," I replied.

She continued: "Then why are you doing that to yourself?"

That was when I finally agreed to give self-compassion a try. The results blew my mind. Rather than making me weak or complacent, self-compassion turned out to be a far more motivating force than my self-criticism had ever been. It also made me far better equipped to support others, not to mention a whole lot happier.

In the podcast episode, Aimee and I discuss some of the biggest myths surrounding self-compassion, and explore why it's a secret superpower that will turbocharge your success. We also walk through a series of super simple but potent practices that can help even the most skeptical, self-critical person start strengthening their self-compassion muscle. Trust me, if I can do it, anyone can!

You can find a link to listen to the full episode [here](#), but for the visual learners out there, I wanted to walk you through one of my favorite self-compassion practices in this newsletter.

It's called Real Time Self-Compassion and it's got three steps.

Step 1: Acknowledge When You're Being Self-Critical

Often, our inner critic becomes so ingrained that we don't even realize when it's piping up. So the first step is to just curiously observe your inner monologue whenever you're feeling bad about something. Take note of what words your inner critic uses. Are there

key phrases that come up over and over again? Does that voice remind you of anyone in your past or present who's been critical of you? (Perhaps a former bully, athletic coach ... or your mother?) The point here is to get to know your critic really well so that you can notice when it's becoming active, and then separate yourself from it. (Because, critically, YOU are not your critic!)

You can further disentangle your inner critic from your identity by naming it or imagining it as a separate being like an inner saboteur or pesky devil on your shoulder. It often helps to actually draw it — I'm including a photo of mine here. I swear it's far meaner looking in my head!

## Step 2: Suggest a Softer Approach

Once you've acknowledged your critic, the next step is to SOFTEN its voice, but to do so with compassion rather than self-judgment. (Remember, the whole point here is that self-flagellation, whatever the target, does more harm than good!) So instead of saying, "What's WRONG with you?! Why are you so damn hard on yourself?!" try something like:

"Listen critic, I know you're scared of failing and that you just want me to succeed. But you are causing me so much pain and anxiety right now, and it's not helping. Can we please try a kinder approach?"

## Step 3: Support

Finally, the third step is to replace your inner critic's commentary with a kinder, more caring and compassionate response. If you're having trouble thinking of what words to use, try imagining what a friend or family member who loves you unconditionally would say to you in this situation – or, if it's easier, what you'd say to them if they were in your shoes.

You might also find it's easier to convey kindness and support to yourself if you imagine yourself as a young child. I'll admit that for a really long time I struggled to extend kindness to my adult self. But I couldn't help but offer love and affection to this girl.



Chances are that when you first try this out, it will feel super forced and unnatural. That is, it may be hard to generate compassionate thoughts to direct toward yourself, and you may not buy into them at all when you do so. **That's totally normal!**

**It's also totally fine** because as long as you keep pushing yourself to talk back to your inner critic in this way, **your self-compassionate voice will grow stronger and your inner critic's voice will weaken**, ultimately transforming the way you relate to yourself overall. THAT'S the power of neuroplasticity — our scientifically-proven capacity to rewire our brains through repetition. And I am living proof that it is possible!



## CONTEMPLATING YOUR LEGAL LEGACY

Reflections on a Guided Meditation  
by Wendy Silva, Esq.

I began 2023 with a 31-day meditation challenge. Each morning, I sat for anywhere between 10-25 minutes, listening to a different meditation teacher offer a way to practice. From breathwork to focus and concentration to reiki and yoga and so on, each day lent itself to a new practice to suit even the most speculative of minds. I ended the month with one of the simplest yet deeply impactful guided meditations I have ever done.

Despite having a meditation practice for many years, Day 31, while technically the last of this challenge, provided me a profound opportunity to employ a “beginner’s mind.” The teacher posed a simple visualization for meaningful goal setting that cut so deep I thought about it for several days. The aim of the practice was to understand what truly matters to you and whether your goals are aligned. We had to envision we were 89 years old and consider the questions posed.

Who is around you? Where are you? Are you alone, or are you with a loved one? Are you in a city or in the country? What are you most proud of? In your 89 years, what made you laugh so hard your stomach ached? What communities filled your soul? What did you build or dismantle during this lifetime? What brought you to your knees?

The questions continued, with the teacher, gently instructing at the outset, that it was not necessary to answer all of the questions and that in fact, you may not even hear all of them. Instead, to trust that you will hear exactly those that you need to hear. This was a powerful guided meditation in which tears streamed and laughter surfaced at different times. I wondered about whether I was even aware of the intervening years and more importantly my actions and impact on others. If you yearn to reach 89 and beyond, notice, how are you spending this moment to reach that. This very moment as you read these lines, what comes up for you?

I spent most of my time during the guided practice thinking about family, friends and special times. I found peace knowing that I have had more cherished moments than not. And yet, I struggled with examining what my professional life would have been prior to 89. What would my legal legacy be? I don’t know the definitive answer, but I know what I have done thus far. I know what I am proud of and I know what work I have done that is fulfilling and what work I prefer not to do. I know who I have helped and who I have not been able to. I know that I sometimes love the law, and sometimes I don’t know why I continue to push a proverbial rock up a hill to find justice. But I do know that meditation has helped me to realize that taking a pause at this juncture in my career and aligning my goals and actions accordingly has helped me understand that there is a lot that I can offer between now and then and I hope to look back at 89 or beyond without regrets at my legal legacy.

So now, I invite you to take a moment, and consider this exercise and journal your thoughts. What are your takeaways? Will it serve you to chart your legal legacy from this moment forward? If you try this exercise, know that it is not easy. Take good care, have a good support system in place, and work through whatever comes up. Find what feels right for you in your meditation or wellness practice.

To experience this guided visualization by Kemi Nekvapil, go to:

<https://insighttimer.com/keminekvapil/guided-meditations/goal-setting>



### Past Events: What did I miss?

MWBL Podcast, Episode 3: Positive Lawyering <https://www.nycbar.org/media-listing/media/detail/mindful-lawyering-episode-3-positive-lawyering>

January 17th We read The Surrender Experiment: My Journey into Life's Perfection by Michael A. Singer.

February 10, 2023 Mindfulness Break with Stacy Schaffer

February 23, 2023: Yoga for Lawyers with Kim Wong

March 14., 2023 We read The Things You Can See Only When You Slow Down by Haemin Sunim

March 10, 2023 Mindfulness Break with John Campbell

March 23, 2023 Yoga for Lawyers with Jolivette Mitchell

Yoga Videos:

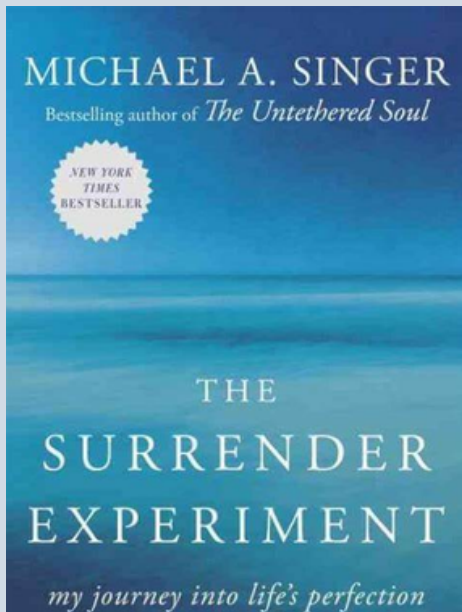
[www.youtube.com/playlist?list=PLG\\_60rMuypcQ-JnWLnKQZAVPTZQUZCUB](https://www.youtube.com/playlist?list=PLG_60rMuypcQ-JnWLnKQZAVPTZQUZCUB)

Mindfulness Breaks:

[https://www.youtube.com/playlist?list=PLG\\_60rMuypcReuRQZcrBGO544dISEdsl](https://www.youtube.com/playlist?list=PLG_60rMuypcReuRQZcrBGO544dISEdsl)

## Experiment in Surrender: MWBL Brook Club Review

by Stacy Lefkowitz Schaffer, Esq.



On January 17, 2023, the Mindfulness and Wellbeing in the Law Committee hosted a book club featuring *The Surrender Experiment* by Mickey Singer. The book is a memoir about Singer's life and what happened when he made the decision to surrender to what life presented to him, rather than resisting or judging it. The following addresses book highlights and questions - in brackets- that we covered during the book club discussion.

When Singer was a graduate student, he had what one might call an 'awakening.' This awakening was not an earth-shattering revelation nor particularly noteworthy. All Singer did was notice it.

One day, at a family gathering he was speaking with his brother-in-law, and their conversation lagged. During this lag, Mickey felt an awkward silence. He thought of many mundane topics to try to fill the void, like talking about the weather or sports. Instead of saying anything he could think of, he asked his brother-in-law, "[h]ave you ever noticed that there's this voice talking inside your head?" His brother-in-law replied, "yes, and it never shuts up!" Singer also noticed that the voice inside his head not only talked all the time, but that it resisted a great many things, people and experiences. This one very small observation sends him on a spiritual journey to quiet the incessant voice within his mind.

[Are you aware in the moment of the voice inside your head? Can you still this voice? Do you feel it's possible to still this voice? What if anything, do you try to still this voice?]

Often, we conceive of and believe an awakening must shake us to our very core. Indeed, many people have shared stories about being on the brink of death before they could even notice that there was something more than their own worldview or their own inner chatterbox. That Singer could pay attention to this 'small' awakening is a gift not just to himself but to those who learn from him.

[Have you ever experienced a spiritual awakening that altered your life ever after? How did it present in your life? Was it one event, or a series of awakenings?]

After his experience of noticing the voice in his head, Singer begins to meditate. With the object of quieting the voice inside him, he renounces what society considered a 'normal' life and develops a spiritual practice. He becomes what one might call a hippie or a part of the counterculture, growing his hair, living in a van, and fasting for days. He has many experiences with "energy" and describes what sounds like a kundalini awakening, although he did not label it as such. He becomes an ascetic and builds a small shack to live in solitude on a piece of land using the money his parents had saved for his college education.

[If you have a meditation practice, do you find it helpful? Do you have a practice of meditation? If not meditation, what activity frees or quiets your mind, so the voice inside your head is not constantly going?]

Singer experiences an important shift in his spiritual development. After a long period of meditating for many hours for days on end, he has a transformative dream. Thereafter realizes that spiritual practice is not only about quieting the mind and disconnecting, but also, and more important, about opening the heart and leading an active life of service to others. This is a seminal shift in his spiritual development. It is at this point that he crafts his "surrender experiment," which opens him up to experiences that would alter his life.

Singer decides that he will not let his own voice of resistance stop him from serving others. He actively surrenders to each moment and accepts whatever is presented to him. As this spiritual practice grows, he develops an unconditional trust in life that everything and every experience was brought to him for a reason. What unfolds along the way is that Singer becomes a professor, builder, programmer, CEO to a public company as well as a nonprofit spiritual community leader.

The "surrender experiment" looks deceptively simple. It is a 2-step process in which you first, "let go of personal reactions of like and dislike," and second, "with the resultant clarity, look to see what is being asked of you by the situation unfolding in front of you." This was borne out of a simple question he asked himself.

"What would happen to me if I inwardly surrendered my resistance and let the flow of life be in charge? . . . If life brought events in front of me, I would treat them as if they came to take me beyond myself. If my personal self-complained, I would use each opportunity to simply let him go and surrender to what life was presenting me."



This was not always easy to do, as one can imagine. There was a time when Singer used the surrender technique not only to allow a person to build a house on his land without asking him, but to actually help in the building of that structure! Naturally, his first reaction was to resist the event unfolding in front of him. The voice inside his head was screaming that the person was crazy, unjustified, how dare they? On the other hand, he thought that if he had wanted to build a second house on his land, he would receive this person as a godsend. After reflecting on the situation for a few moments, he put on an apron, grabbed his tools and helped to build the new structure. This is just one example of many of how he applied the "surrender experiment."

[How do you feel about the steps of the "surrender experiment?" Do you think this achievable? Are you skeptical? Do you feel as if you can stop reactivity and let the moment flow to you?]

Once he becomes adept at his experiment, he learns that everything is coming to him for a reason. With this realization, he can remain circumspect under stressful situations and in the face of uncertainty. There are many examples of this in the book, but the biggest challenge comes when he is indicted for embezzling money from the company for which he served as CEO.

Another Singer realization that reminds this writer of a mantra "everything serves to further" is when Singer acknowledges that all of his experiences "laid the foundation for what was coming next." This further opened Singer up to his "surrender experiment." Upon self-reflection, he knew that everything the world flowed to him was for his benefit and as preparation for the next step in his life.

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[What is an example in your life of an event that ‘served to further’ even though you did not know or believe that it would help you at the time? With the benefit of hindsight, how did the realization come to you that the event helped to further you in some way? This does not mean that the event was a happy or beneficial at the time of its occurrence.]

Singer admits that he had a preconceived “mental concept of himself and even what it means to be spiritual.” This sentiment was really touching to this writer. It’s often very easy to identify with what is simply a mental concept that we create or that was created for us by others – our families, friends or society. We can go through life thinking that this concept is true, when it may not be, and then we learn to inhabit a concept that is not innately ours. Singer disabuses himself of those concepts, although only after a long period of embracing a spiritual life.

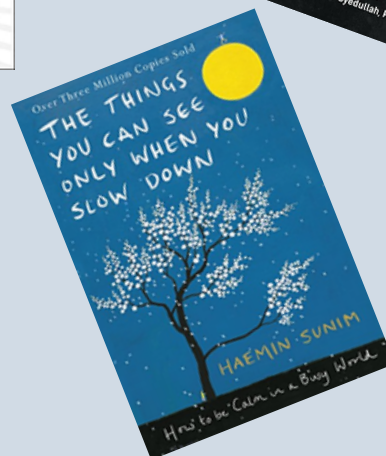
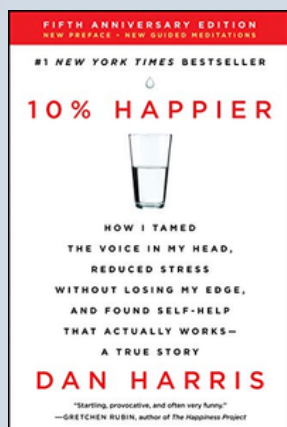
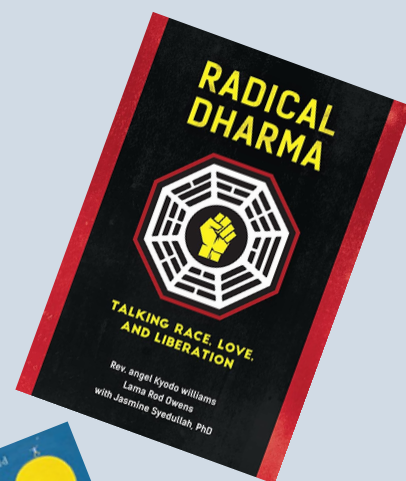
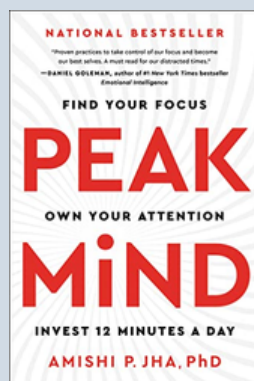
[What are mental concepts that you have about yourself? What do you envision a spiritual life to be? Is it being off by yourself meditating? Is it doing yoga 3 times a day? Is it going to an ashram or taking vows of silence? Is it serving others?]

Singer beautifully sums up the lesson he learned in the last line of the book: “[o]nce you are ready to let go of yourself, life becomes your friend, your teacher, your secret lover. When life’s way becomes your way, all the noise stops, and there is great peace.”

I hope this brief synopsis of The Surrender Experiment gave you some food for thought. Please join the Mindfulness and Wellbeing in the Law Committee for the next book club in June 2023.

Stacy Lefkowitz Schaffer is the Secretary of the Mindfulness and Wellbeing in the Law Committee of the NYC Bar Association.

### CHECK OUT OUR PAST BOOK CLUB READS!





## **Are you driven by your intellect? Try Mindfulness!** by Katuska Moure, LLM

The legal profession is an exciting and challenging domain of intellectual, emotional, and physical engagement. While the intellectual rigors of law practice are obvious, the emotional and physical aspects can be underestimated. People often fail to recognize the emotional and physical toll the legal profession can exact. High rates of anxiety, depression, eroded relationships, substance abuse, exhaustion, poor health, and physical ailments, to name a few.

Let's face it, it is not uncommon for attorneys to become wrapped up in "ego-centric" thoughts and behaviors. One way to curtail these potential ills is through mindfulness. Mindfulness has grown in popularity and has been embraced in wide circles, becoming more relevant than ever as an effective and dependable way to strengthen our health and well-being. The practice of mindfulness has been scientifically proven as an effective tool. Thus, those in the legal profession who are inclined to be skeptical can find solace by the following evidence-based facts: mindfulness reduces cortisol, the stress hormone and evidence indicates that a mindfulness meditation practice can change the decision-making area of the brain. The practice of mindfulness can be particularly helpful for lawyers who are regularly under stress and mostly focused on the intellectual side of how they are viewed in their profession.

Indeed, mindfulness can help a lawyer to uncover and gain distance from the potential preoccupation with the "self". Such preoccupation might include an adversarial mindset producing negative behavior, primarily through the influence of egocentric cravings—such as those for money, status, and power. A craving for power, for instance, might manifest in a need to dominate, defeat, or even humiliate opposing counsel, which could lead to excessively aggressive behavior that might in itself cause suffering and lead to unnecessary litigation. Mindfulness meditation could help a lawyer counter these "ego" driven behaviors in another way—by helping the lawyer develop a sense of compassion for and connection with other people, especially his clients and colleagues.

Creating space in the day to stop, pause and focus on the present moment has been shown to be enormously helpful in mitigating the negative effects of our stress response. "When we drop into the present, we're more likely to gain perspective and see that we have the power to regulate our response to pressure." As our relationship with stress is refined, we are more able to embrace the uncertainties of life, knowing that we can cope and survive the challenging moments in our daily lives.

Source material:

- Elisha Goldstein, *Stressing Out? S.T.O.P.*, Mindful (2013)

<http://www.mindful.org/stressing-out-stop>

- Jan L. Jacobowitz, *Finding Calm in the Storm, Cultivating Mindfulness To Cope With Stress In The Legal Profession*

<https://www.texasbar.com/AM/Template.cfm?Section=articles&Template=/CM/HTMLDisplay.cfm&ContentID=36780>

- Leonard L. Riskin, *The Contemplative Lawyer: On the Potential Contributions of Mindfulness Meditation to Law Students, Lawyers, and Their Clients* (2012).

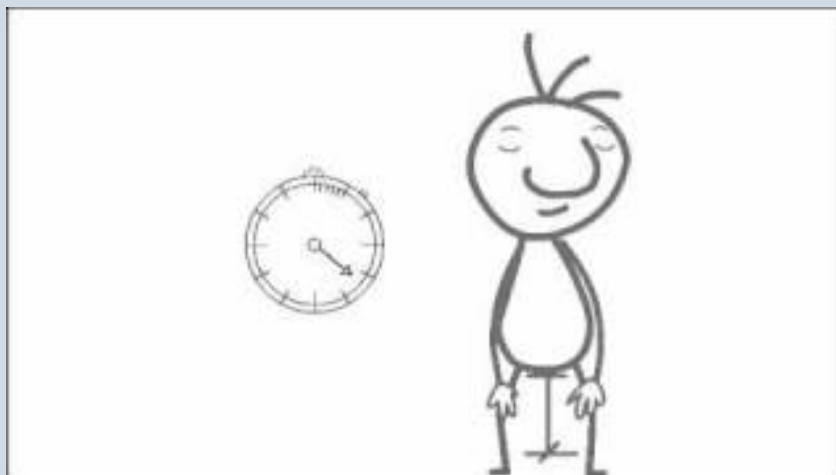


## MINDFUL MOMENT

Think you don't have time to meditate? Think again. Take the one minute challenge to learn that it only takes a moment.

Link below:

<https://www.youtube.com/watch?v=F6eFFCi12v8>



from author of One Moment Meditation  
by Martin Bronson



## RUN-ASANA

by Hope Wiener, Esq.

I LOVE yoga to the ridiculous extent that if I were an A-list celebrity, I could have been the one on the witness stand in Utah bemoaning my half day of missing out on my passion while selling millions of dollars of magical fragrances to trial obsessed fans. However, my only time in the spotlight lately has been for radiation treatments due to undergoing treatments for breast cancer. Fortunately, since I don't possess the qualities that are in high public demand right now, I have more time to devote to being a road race junky when I am not in a yoga pose, known as "Asana".

I love a good half marathon and I love the New York marathon. I love New York Road Runners group training and I love the huge hearted people who run the Prospect Park Track Club. I can say with all due respect to The Yoga Sutras of Patanjali, which defines Asana as a posture that is steady and comfortable, that if one wants to test their Asana along with their ability to be present and open, sign up for a race. While, contemporary yoga classes are beautiful and take place in safe climate-controlled spaces with teachers who encourage one to be your own best teacher and listen to your body, running isn't quite like that. You are challenged in a different way. Although, races have welcomed all shapes, sizes and abilities, ten miles is still ten miles and you can't lie down in the middle of a race and take child's pose. The clouds don't care either. When we sign up for a race, we ideally envision 60-degree weather and a tank top but does anyone besides an elite runner happily sign up for 26.2 miles in a rain storm? Well, that's the challenge and that's the practice I signed up for.

It is finally race day! I have trained as much as a year, have spent money on entry fees, clothing, sneakers but unlike a yoga class, there is only one way to get to the finish line. When I wake up the sky is gray and reporters are excited that it is the coldest day in 30 years. The prayers of ideal weather for me and maybe forty thousand other people have been dashed, but the good news is that Monday's weather will be perfect just in time to get back to work.



I arrive at the starting line and apparently, I feel like I am the only one who has an interest in Max Strom's[WS4] books on breath work because people are pushing into the corrals and the air is thick with anxiety.

I stop and pause and think, good! Yes, good! Indeed, this is Asana. Can I stay calm, can I stay on my little mat, can I not be jealous or intimidated by front runners who wear bikini bottoms in 27 degree weather? Yes, I can.



### Upcoming Events

Friday, April 14, 2022 | 1:15 p.m. - 1:35 p.m. Mindfulness Break

Thursday, April 27, 2023 | 7:00 p.m. - 7:45 p.m. Yoga for Lawyers

Friday, May 12, 2022 | 1:15 p.m. - 1:35 p.m. Mindfulness Break

Thursday, May 25, 2023 | 7:00 p.m. - 7:45 p.m. Yoga for Lawyers

To register, click below:

[https://services.nycbar.org/Members/Event\\_Calendar.aspx](https://services.nycbar.org/Members/Event_Calendar.aspx)

Stay tuned for info on our Wellness Fair.

Would you like to lead a Mindfulness Break or Yoga for Lawyers session, or submit a short article?

Send an email of interest to: [mindfulness.citybar@gmail.com](mailto:mindfulness.citybar@gmail.com)