



## FLORIDA BAR NEWS

### THE MINDFUL LAWYER

By Scott Rogers ▶ Special to the News ▶ Columns

August 23, 2021



#### THE ROLE OF SELF-COMPASSION IN THE LAW

Members of the legal profession are often motivated by a desire to help others and to alleviate their distress. So basic is this ethic that many lawyers work tirelessly, worry a great deal, and feel the weight of not just one client's burdens, but many.

And as much good as this does for our clients, our society, and our pocketbooks, it is the rare person who does not feel the toll this can take on their health and well-being.

Dostoyevsky wrote that “compassion is the chief law of human existence.” Usually we regard compassion as an human quality that flows outward — to other people. Yet compassion can flow inward as well — toward oneself. There is a growing body of research that focuses on the cultivation of *self*-compassion and its connection to mental health and wellbeing. I met with Dr. Christopher Germer while he was in Miami to lead, along with Kristin Neff, a two-day workshop on Mindful Self-Compassion. Chris, a clinical psychologist, author, and co-developer of the highly acclaimed eight-week “Mindful Self-Compassion” program, was kind enough to sit with me for a short interview so that I might share his insights with you. A synopsis of our conversation appears below.

#### WHAT IS SELF-COMPASSION?

Self-compassion is a lot like compassion for others. It means treating ourselves with the same kindness and understanding as we would treat a friend when things go wrong. The opposite of self-compassion is criticizing ourselves, isolating ourselves in shame, or getting lost in self-criticism.

Some people confuse self-compassion with self-pity, selfishness, self-indulgence, weakness, or low motivation. Actually, research shows that self-compassion is opposite of all that. Self-compassion is a humble enterprise. It is simply *including* ourselves in our circle of kindness. It's an occasional U-turn that can make all the difference in our lives. One thing we know for sure is that if we want to become more compassionate toward others, first we need to become more compassionate toward ourselves.

## WHAT IS THE CONNECTION BETWEEN SELF-COMPASSION AND WELLNESS?

The research on self-compassion and mental health is burgeoning. There are at least 1,700 articles on the subject of self-compassion and half have come out in the past two years. Self-compassion is strongly associated with emotional well being, such as life satisfaction, happiness, self-confidence, optimism, emotional intelligence, and wisdom. It is also associated with reductions in anxiety, depression, stress, shame, suicidality, and perfectionism. The most common theme in the research literature is that self-compassion is a powerful contributor to emotional resilience — the ability to bounce back when things go wrong in our lives.

## HOW MIGHT EMOTIONAL RESILIENCE BE RELEVANT IN THE LEGAL PROFESSION?

In law practice, clients are dealing with so much pain that it can really get under a lawyer's skin. That's because lawyers are human beings and much of the real estate of the human brain is dedicated to feeling what others are feeling. Lawyers can try to block out empathic pain in order to stay focused on their work, but that strategy eventually takes its toll. There are also other kinds of work stress that lawyers feel, such as pressure to process large amounts of information in a short period of time and to win cases, one after another. Work stress eventually spills over into family life, and lawyers may find themselves drinking too much, getting into unnecessary arguments with family members, sleeping poorly, and eventually losing interest in their work or life in general. That's called burnout.

Self-compassion is an antidote to burnout. It gives us the ability to be with emotional pain — ours and others — without struggling against it and wearing ourselves out. It's an attitude of warmth and goodwill in the face of suffering that actually energizes us and helps us recover from distress, much like having a wise and compassionate counselor by our side, ready to protect, soothe, and guide us when we need it the most.

## WHAT ARE SOME WAYS OF PRACTICING SELF-COMPASSION?

There are multiple pathways to self-compassion and each person is encouraged to find their own way. Soothing touch is the simplest way. For example, when you feel under stress, try putting a hand on your chest and simply feel the touch and warmth of your hand. Most people feel a sense of relaxation when they do that. Or you could make a fist with one hand and wrap the other hand over it. That activates a sense of caring, but also of strength in times of need — fierce compassion.

Another easy way to bring self-compassion into your life is by asking, “What do I need?” How often does anyone ask us this important question? It is essential for living a fulfilling life and we can still ask it of ourselves. “What do I *really* need right now?” Sometimes it takes a bit of courage to listen for an honest answer.

Another practice is the Self-compassion Break. Anytime you feel under stress, you can say three things to yourself, letting the words really sink in: (1) “*This* is a moment of struggle,” (2) “Struggles like this are a part of living. I am not alone,” and (3) “May I be kind to myself. May I give myself what I need.” These three phrases correspond to the three components of self-compassion as articulated by Kristin Neff: mindfulness, common humanity, and self-kindness.

Another practice, which can be helpful in the courtroom, is to take a moment to feel the movement of your breath in your body, noticing how the body breathes in and how the body breathes out. Then, let the in-breath be for you, nourishing and energizing you, and let the out-breath be for somebody in the courtroom — your client, the judge, the person on the other side. This is an elegant way of bringing compassion to yourself in the middle of an emotional storm — not losing yourself in the service of others — and keeping your mental balance.

#### HOW MIGHT SELF-COMPASSION BE HELPFUL TO A PROFESSION THAT TENDS TOWARD PERFECTIONISM?

In the law, small mistakes can have a big impact on someone’s life. We know that, so perfectionism can be partly motivated by compassion since we don’t want to let anyone down.

However, perfectionism can hamper your ability to function if it becomes excessive, driven by an inability to rebound from failure. Self-compassion can help. When our self-worth comes from external social approval, we are on the hook to do everything right all the time. However, when our self-worth comes from the capacity to be kind to ourselves when things go wrong, we can recover more quickly and have the courage to go on. Research has shown that self-compassionate people are more able to admit mistakes, and they are more motivated to correct them. This is partly because their self-worth is based in an inner resource and is therefore more stable, but also because self-compassionate people motivate themselves with encouragement rather than with criticism. Self-compassion is like having an understanding coach rather than a harsh taskmaster telling us what to do.

## SOME MAY REGARD SELF-COMPASSION AS TOO SOFT IN AN ADVERSARIAL ENVIRONMENT LIKE THE LAW.

Most people think of nurturing behavior when they think of compassion, like a mother breastfeeding her child. But compassion can also be fierce, such as when a parent has to protect a child from harm. In the law, we need both. When we are home, we need to recover and nourish ourselves and when we are back on the battlefield, we need to be tough. A good metaphor for fierce compassion on the battlefield is a martial artist who is inwardly calm (even compassionate!) while fully engaged in meeting challenges. This can be called the yin and yang of self-compassion. The yin is “being with” ourselves — comforting, soothing and validating — and the yang is “action in the world” — protecting, providing and motivating ourselves.

Ideally, self-compassion is a balance between the two.

## WHEN MIGHT A PERSON WHO STARTS PRACTICING SELF-COMPASSION REALIZE BENEFITS?

Even though it's called *self*-compassion, the best way to learn it is in community. There are great books for self-study, but the most enjoyable and effective way to learn self-compassion is to find a teacher, a buddy, or a group of folks who are also interested in bringing self-compassion into their lives. Self-compassion is a key part of mindfulness, so one way to start is by finding people who practice mindfulness and who want to add more explicit self-compassion practice to their mindfulness training.

I am deeply grateful to Chris for taking the time to reflect on the role self-compassion can play in enriching the lives of those of us in the legal profession. You can learn more about self-compassion by visiting Chris' website, <http://chrisgermer.com> or the Center for Mindful Self-

Compassion, <http://centerformsc.org>. He is the author of several books including *The Mindful Path to Self-Compassion* and *The Mindful Self-Compassion Workbook* (co-authored with Kristin Neff). You can view a 12-minute guided mindfulness self-compassion practice by [clicking here](#).

If you have a question about integrating mindfulness into the practice of law that you would like answered in this column, please send it to [srogers@law.miami.edu](mailto:srogers@law.miami.edu).



*Scott Rogers, M.S., J.D., is a nationally recognized leader in the area of mindfulness in law and founded and directs the University of Miami School of Law's Mindfulness in Law Program where he teaches mindful ethics, mindful leadership, mindfulness and negotiation, and mindfulness in law. He is the creator of Jurisight, one of the first CLE programs in the country to integrate mindfulness and neuroscience and conducts workshops and presentations on the role of mindfulness in legal education and across the legal profession. He is author of the recently released, **"The Mindful Law Student: A Mindfulness in Law Practice Guide,"** written for all audiences.*