

Report on the March 2002 Contemplative Law Retreat at Trinity Conference Center

by Heidi Norton, Law Program Director

"This was a personally rewarding experience which has been of great significance in encouraging me to continue growing in my contemplative practice, and to share that (and other practices) with others. It has especially convinced me that indeed contemplative practice CAN and WILL find a home in the legal profession, that lawyers are in fact well suited to learn (and perhaps teach) these practices, and that the position of lawyers in society makes their participation important."

~ March 2002 retreat participant

"There was an incredible outpouring of energy, kindness and generosity."

~ March 2002 retreat participant

INTRODUCTION

On the weekend of March 22 - 24, 2002, forty lawyers, judges, law professors, administrators, and legal paraprofessionals from Boston gathered at the Trinity Conference Center in West Cornwall, Connecticut for a "Contemplative Law Weekend" sponsored by the Center for Contemplative Mind in Society. The gathering wove together meditation and yoga instruction and practice, contemplative writing, discussions about the integration of contemplative practices with law, mindful eating in silence, time outdoors, and opportunities to talk and socialize. It was a wonderful weekend, which fostered many close connections and began a conversation about how to develop and support the network of legal professionals interested in contemplative awareness in the Boston area.

THE RECRUITMENT PROCESS

In January 2002 we sent out 56 invitations to people in the Boston area. Our hope was to bring together a critical mass of people in the legal profession, to establish or reinvigorate a connection to contemplative practices and to see whether we might support a community in the Boston area. We hoped for a gathering of approximately 20 - 25 people, and decided to limit the event to 40 people, which would allow for single rooming and would optimize small discussion group size.

PARTICIPANTS

The weekend attracted participants from a wide cross-section of the legal population in Boston, including:

- Professors, Lecturers and Administrators from area law schools: Harvard (5), Suffolk (2), Boston College (1), and Northeastern (1);
- Judges (1 from Juvenile Court, 1 from District Court) and clerks (2);
- Practitioners in local and federal government (3);
- Attorneys practicing in the public interest (4) and in the private sector (10); and
- Others (6 non-practicing attorneys and others in roles of supporting lawyers or teaching or exploring various meditation and movement practices).

There were also four staff members from the Center for Contemplative Mind in Society in attendance who facilitated groups, led discussions, and coordinated logistics throughout the weekend.

TEACHERS

We sought an experienced meditation teacher who could work with an unfamiliar program, join us in experimenting with a new format, and teach to a population of lawyers. We chose a colleague of Joseph Goldstein's at the Insight Meditation Society, Susan O'Brien. Susan's generous and easy spirit complemented her substantial teaching experience and made her an ideal teacher for the weekend. Past retreat participant Brenda Fingold led yoga in the early morning each day.

PROGRAM

Friday Evening

On Friday evening we gathered for dinner and a welcome circle by the fireplace. We expressed a variety of motivations for coming together, united by a common desire to explore a contemplative dimension to our professional lives.

Yoga and Meditation

Both Saturday and Sunday morning began with yoga at 7 am, followed by sitting meditation at 7:30 before breakfast. Throughout the weekend, Susan provided instruction on sitting meditation, walking meditation, and mindful eating. Meditation sessions were integrated into the entire weekend, with approximately 6 ½ hours devoted to these practices.

Contemplative Writing

For the first time we offered a contemplative writing session to our program, as a vehicle to learn about one's mind, to gain insight into the way our minds move and how quickly things come and go. We meditated together in silence, then wrote about the experience, eventually condensing our entries into haikus. We also wrote and shared about where we find meaning in our lives and our work.

Several people spoke in the large group about their feelings of writing, either how powerful or interesting it felt to them, or their feelings of resistance to the various instructions. Most of those who participated in the large group shared their haikus, which included the following:

40 lawyers sit
silence unfamiliar still
justice rules inside

Endless rhythms play
In stars, sea, a mere breath,
All within, eternal now

what is positive
not thinking, not knotting
five minute eternity

Glimpsing the future
Takes me out of the moment
Better not to know?

yawns, gurgles, sighs
silence broken
or is it
silence manifested?

Thoughts of varying topics
Have same quality:
judgment.
No big deal.

Love Is The End Of All Searching;
Stop This Wanderlust;
And Just Abide.

Many times sitting,
Problems. Can I trust enough
to let go, come back?

intentions high
breath begins
the mind says dance
a quick jig
breath again

silent
self-absorbed again
lost in thought and judgment
my mind breathes:
"Just Be"

Silent Lunch

The group spent one meal together in silence, which began with instruction from Susan about the mechanics of and meaning behind mindful eating. The group departed from the writing exercise in silence, which was maintained until we reconvened for more meditation after lunch and a break.

Small Group Discussion Session

On Saturday afternoon we split into small discussion groups to consider what contemplative awareness adds to our lives, and to our lives in the law.

Some of the related themes that emerged within these groups were:

- Responding to anger when it arises in meditation. Anger as a motivator. Suppressing versus noticing anger;
- How to view legal experiences as teachings in mindfulness;
- How to stay connected to the practice. Having a meditation teacher, advisor, or email buddy;
- Groundedness, generosity, compassion, balance, clarity while communicating and listening; and
- Fears that being at peace with yourself makes you stop wanting to make the world better.

Panel Sharing of Contemplative Practices

On Saturday afternoon, several retreatants participated in a panel on contemplative practices from other than the Buddhist tradition. First, Geoff Hargreaves-Heald, Of Counsel and a meditation instructor at Nutter, McClennen and Fish, described the meaning he derives from Centering Prayer, and then led the group in a brief Centering Prayer exercise. Geoff prefaced the exercise by placing this tradition among other contemplative practices we were experiencing, artfully offering it in a non-offensive way to both the Christians and non-Christians within the group. (Geoff's website, www.spiritualpractice.org, includes further instruction.)

Next, Lisa Otero, Regional Civil Rights Counsel for the US Department of Health and Human Services, demonstrated and led us in a few movements of T'ai Chi Chih, a movement practice focused on the activation, balance and circulation of the body's Chi. Lisa spoke movingly about the role T'ai Chi Chih has played in her family's history and in her own life as she seeks her balance within the adversarial framework of law practice.

Finally, just before sundown on Saturday, Alex Sugerman-Brozan, Staff Attorney with Health Law Advocates, led us in an end-of-Shabbat Havdalah ritual, which incorporated poetry reading by other participants. The Havdalah involved four blessings: one over wine, one over spices (the fragrance of which would comfort us from the loss of the "extra soul" gained during Shabbat), one over fire (a special braided candle), and one over separation - between rest and work, sacred and mundane, Shabbat and the week.

Saturday Evening Talk

After dinner on Saturday, Susan gave a talk about the "hindrances", which she began with the following passage from Alice Walker's book, *Anything We Love Can Be Saved*:

There is always a moment in any kind of struggle when one feels in full bloom. Vivid. Alive. One might be blown to bits in such a moment and still be at peace. Martin Luther King, Jr., at the mountaintop. Gandhi dying with the name of God on his lips. Sojourner Truth baring her breasts at a women's rights convention in 1851. Harriet Tubman, exposing her revolver to some of the slaves she had freed who, fearing an unknown freedom, looked longingly backward to their captivity, thereby endangering the freedom of all.

To be such a person or to witness anyone at this moment of transcendent presence, is to know that what is human is linked by a daring compassion to what is divine. During my years of being close to people engaged in changing the world, I have seen fear turn into courage, sorrow into joy, funerals into celebrations, because whatever the consequences, people standing side by side have expressed who they really are and that ultimately they believe in the love of the world and each other enough to be that. This is the foundation of activism.

Susan continued on to say:

I find that passage very powerful, particularly the idea of a transcendent presence linked with a daring compassion. It's taught that in this tradition, this particular meditation practice, there are two wings to it, like the two wings of a great bird, and those two wings are wisdom and compassion. So, it's very much the same as what Walker was talking about in that introduction, because a presence that is quite pure transcends the distractions of mind, the distractions of clear seeing, of wisdom. So it makes perfect sense to me that a book on activism would be

introduced partly by speaking about this kind of presence, because really we can't begin to act in this world unless we're fully able to face what's happening in our lives and around us.

After Susan, Mirabai gave a short talk on integrating contemplative practice with life, and Steven spoke briefly about integrating these experiences with our professional lives in the law.

Sunday Morning Discussion

After breakfast and meditation, Steven facilitated a large group discussion on how we can best support and develop the contemplative legal community in the Boston area. The quality of the ideas and surrounding discussion were excellent, highly specific, and clearly motivated by a desire to collaborate with the Center on bringing this work to the next level. Among the themes we considered were:

1. Meditation instruction within organizations:

- How to interest all levels of staff in attending the same training.
- Incorporating non-lawyer staff - paralegals, secretaries, court staff. Class issues and issues of objectification/seeing people as "other" leads to their exclusion. How to support organizations in working through these issues.
- Balancing the goal of inclusion with the problem of turning off partners, especially senior partners, when they see these tools are available to everyone (and therefore they come to see it as personal development rather than something that relates to the practice of law).
- How to get organizations to be open to this, and how to convince people in leadership positions that this should be no different than any other professional development. Need to demonstrate the inherent benefits of contemplative practice - both practical and personal, to make it more acceptable to and understandable by the leaders of these organizations.
- Applying for MCLE credit.
- Perhaps inviting the spouses and partners of lawyers to retreats and workshops would help lawyers integrate contemplative practices into their lives more completely.

2. Incorporating the principles of practice in academic settings:

- Creating a standardized course for law schools.
- Curriculum modules can be a "side dish" for existing courses/orientation programs, which are easier to pass through an administrative curriculum committee.
- Developing a new course at Harvard: "The Examined Life of the Law."

3. Email distribution list or listserv, and other vehicles for connecting retreat participants:

- A listserv could be used by members to offer and/or receive advice, or keep in touch about new developments.
- Noting mindful moments in the practice of law, and sharing these somehow, perhaps via a listserv, to help others connect to their mindful moments.
- Listserv can be set up on the user's end to provide information in a number of ways, including receiving every email that comes to the listserv, receiving a daily digest of emails, or visiting the website as desired to read what's been posted.
- Holistic Lawyers group is a vehicle which could incorporate some contemplative practices and further these discussions.

4. Facilitating a collaboration among firms, academic institutions, and non-profits:

- Try linking institutions in the Boston area, then replicate in other areas.

- Northeastern is a possible home for these connections: Network of alumni and coop field placements for the clinical internships is a natural link between practitioners and an academic institution. In fact, Northeastern wants to offer something to its alumni field supervisors in appreciation for all of the supervision and training they provide. A contemplative retreat may be a perfect expression of appreciation and vehicle for training these supervisors.
- Link of law firms and the non-profits and public interest legal clinics they are establishing and supporting in increasing numbers. It's a place of intersection for all three of those sectors.

5. Bringing contemplative practices to judges:

- In some cases they prefer their programs to be separate from those for attorneys, in order to avoid any conflicts that could arise later.
- Being around so much dark and heavy energy all day, especially when a violent crime has been committed, makes it hard to see clearly. Judges need to be able to see clearly, especially at times of sentencing.
- Collaboration offered to work on ways of attracting judges to our programs.
- Also helpful would be a retreat where judges can "drop out" of their daily lives.
- Flaschner Judicial Institute is supportive of our efforts, and eager to collaborate with us in bringing contemplative practices to lawyers.
- Judge Menno, a former Jesuit Priest, is already interested in helping to run a retreat for judges.
- Catharine Wells from BC has done a lot of work on reflective legal decision-making, and would be an important person to include.

6. Developing experiential models for combining contemplative practice and lawyering training:

- Harvard may be open to the teaching of such a module. Lecturers and student TAs in the lawyering program would probably be receptive to this type of experience.
- ABA Section of Litigation and ACTA do trial practice training pro bono for public interest law firms. It might be worth looking at this program where hundreds of lawyers across the country get their training; we might be able to have a role in that.

Closing Circle

The closing circle was characterized by energy, enthusiasm and optimism about continuing meditation, social connectedness, and appreciation for the work and the generosity of the Center. Many people expressed their gratitude for the fact that it was free, and stated that they would not have been able to attend if they had had to pay. Several commented on the depth of sharing and participation throughout the weekend, and attributed it in part to feelings of wanting to "give back" in thanks for the Center's generosity.

POST-RETREAT EVALUATIONS

"The whole weekend worked well. The conference was extremely well organized and seamlessly executed. The energy and group dynamic were very positive. The physical space was exceptionally comfortable and conducive to a peaceful, productive weekend."

"Susan's meditation sessions and Brenda's yoga sessions were the best. Susan is a wonderful teacher, perhaps the best I've ever encountered, and Brenda was able to make me think that I could do yoga again despite too many Yoga-related injuries."

"The retreat was a wonderful experience for me and I thank you for the invitation to attend. In general, it was a treat for me to have time to focus on the practices (meditation, yoga, silence) and to meet new people in a comfortable retreat setting. It was particularly gratifying to meet people in legal careers with interests (if not practices) in the contemplative arts. For some of us these two parts of our lives have been to this point somewhat separate and discrete. It was lovely to have mealtime discourse that moved between discussions of the finer points of egolessness or directing the breath, in one moment, and substantive due process and strict scrutiny in the next."

"The opportunity to meet and share ideas about connecting the practice to the work I do in a law-related field, meeting the many people who are working to make that connection, of whom I knew nothing as recently as two weeks before the retreat."

"[Contemplative writing was] very intriguing. A new exercise for me, and valuable."

"I liked hearing others' reactions and questions, and it fostered a sense of common interest and community."

"[Small group discussion was] very helpful to help me begin to make more concrete connections between contemplative practice and legal practice than I came in with. A definite deepening. This proved very useful to me."

"[Panel sharing was] truly terrific! There is something very credible and moving in hearing your colleagues discuss their spiritual practices with such integrity and openness. Somehow all practices seem available to me when presented in that way, regardless of my religious background or current spiritual practice."

"[Panel sharing was] wonderful. Depth, variety, and richness of practices presented made this a captivating part of the program."

"I greatly appreciate the invitation and the very well-organized weekend. I found the weekend to be thought-provoking and am grateful to have learned meditation, which I had not succeeded in learning before despite some effort. I am also optimistic that these few days may be a seed that will grow into an alternative, inventive Boston legal community."

FOLLOW UP

The weeks following the retreat have already seen a number of developments stemming from the retreat.

Lisa Otero, the panelist who introduced her T'ai Chi Chih practice to the group, received so much interest from the group and offers of support in finding and arranging a space, that she is now offering free T'ai Chi Chih introductory classes at Suffolk University Law School.

On the Monday following the retreat, the Boston Globe published an article entitled "Lowering the Bar (Rude lawyers besmirching the profession, some say)". Alex Sugerman-Brozan, a retreat participant, wrote a letter in response, published two days later, based on his experience at the law retreat.

CONCLUSION

This first retreat experience to coalesce and develop an Urban Law Partnership was an overwhelming success. Our hopes and expectations for the level of enthusiasm for the event and for the work of the Law Program were quickly surpassed, and the momentum continued to build throughout the weekend, as social connections were formed and ideas for going forward in the Boston area began to take shape. There is reason for optimism as we begin to collaborate with members of the contemplative law community in Boston, and as we move forward in extending our work to other Urban Law Partnerships nationwide.