

Mitigating Compassion Fatigue ~ Training for Judges

Focusing on HOW we do what we do.

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*Pronounced "More-80's"

Mitigating Compassion Fatigue ~ A Training for Judges

*Focusing on **HOW** we do what we do.*

Robynn Morales
Executive Director
NC Lawyer Assistance Program

Training Objectives

- ▶ Gain an understanding of what compassion fatigue is
- ▶ Understand the signs and symptoms
- ▶ Understand the contributing factors
- ▶ Understand best practices for prevention and mitigation of compassion fatigue

Open it up...

Hum...



Lawyers are Human Beings



Fill in the blanks...

- ▶ The world is a _____ place.
- ▶ Life is _____.
- ▶ I am _____ as a human being.
- ▶ I want to change _____ about my job.
- ▶ I want to change _____ about myself.
- ▶ Most often I feel _____.



Compassion Fatigue Defined

- ▶ The cumulative physical/ emotional/psychological effects of continual exposure to traumatic or distressing stories/events
- ▶ When working in a helping capacity
- ▶ Where demands outweigh resources

Doing...

- ▶ Too much
- ▶ For too long
- ▶ With too few resources
- ▶ And working with the big uglies in life

Professional Quality of Life

Compassion Satisfaction

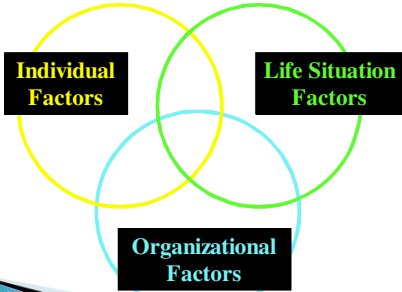
Compassion Fatigue

Burnout

Secondary Trauma

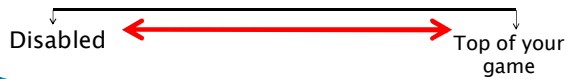
By Beth Hudnall Stamm PhD, et. al
www.proqol.com

Factors that Influence a Person's Vulnerability to Compassion Fatigue



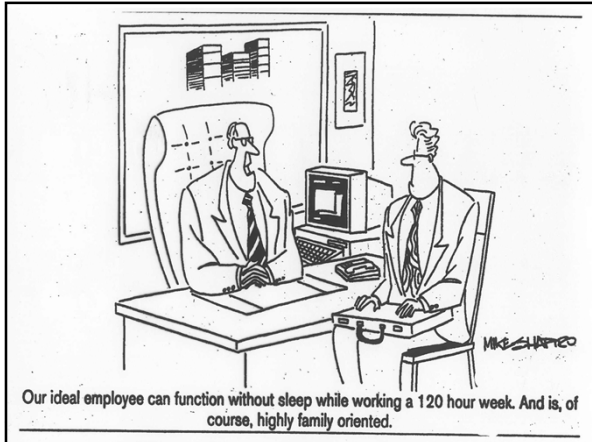
Compassion Fatigue Advisory...

- ▶ Any person regardless of race, gender, ethnicity, age, occupation.... develop this condition
- ▶ Doesn't imply weakness, just "human-ness"
- ▶ Is more about "dis-ease" than disease.



Typical Attorney Workload







Individual Vulnerabilities and Life Situations

- ▶ History of or current trauma
- ▶ Health problems
- ▶ Alcohol or drug use/troubles
- ▶ Poor job performance
- ▶ Depression or anxiety
- ▶ Generic life problems—
 - Spouse/partner,
 - Children,
 - Parents
 - Finances

Organizational Stressors

- ▶ Unrealistic expectations
- ▶ Unrecognized accomplishments
- ▶ Budget cuts
- ▶ Eliminating positions
- ▶ Performing multiple jobs
- ▶ Personalities and politics
- ▶ Intense competition (within and without)

Client Expectations/Stressors

- ▶ Unrealistic
- ▶ Want it now
- ▶ Unhappy, sad, mad, frustrated
- ▶ Stress from the pressure
- ▶ Stress from the difficult material being reviewed and the workload yet expected to appear and be completely unaffected by it (i.e. not be human)

Competitive nature of stress





Lawyering ~ an At Risk Profession
Seems to imply that it is hard.

- ▶ 1990 Johns Hopkins study ranked lawyers first in experiencing depression
- ▶ job dissatisfaction data doubled from 1984 data
- ▶ 44% of lawyers feel they don't have enough time with families
- ▶ 54 % feel they don't have enough time for themselves
- ▶ Studies show higher incidence of MI and Alcohol and other Drug problems compared to the general population

Balancing Act for Lawyers

- ▶ Pessimism works in the professional world but not in the interpersonal world

Symptoms Reported

- ▶ Intrusive thoughts
- ▶ Anger/anxiety/fear
- ▶ Sleep disturbance
- ▶ Fatigue
- ▶ Loss of Appetite
- ▶ Loss of empathy
- ▶ Loss of faith in humanity
- ▶ Sense of isolation from others
- ▶ Physical complaints

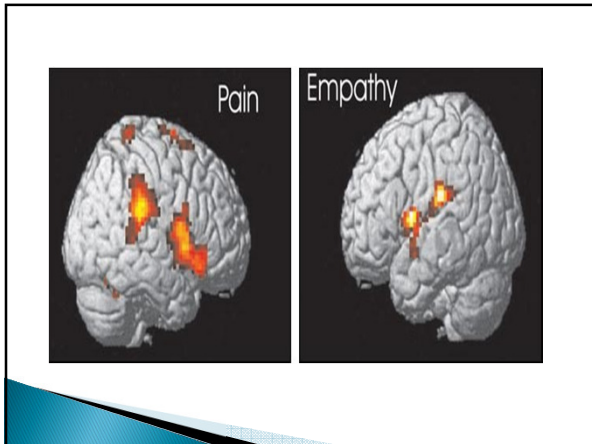
▶ Source: Vrklevski et al. (2008) and Levin et al. (2003) and Jaffe et al. (2006)

Role of Mirror Neurons in the Brain



Empathy

- ▶ Experience the experiences of someone else (Shane, 2008)
- ▶ Enduring those same experiences and emotions (Lydia Gyle Gibson)
- ▶ Empathy is involuntary: a shared emotion—this is hardwired into the brain (L. Gibson)
- ▶ **Human beings who spend time with other human beings who are empathetic tend to feel better**

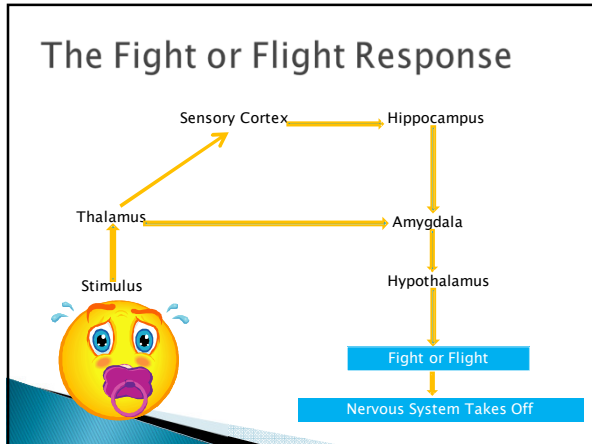




Brain Chemistry

- ▶ Reptilian Brain (instincts)
- ▶ Limbic Brain (emotion, memory)
- ▶ Frontal Lobe (reason)

▶ These work together, while we think, something else is going on.



Stress: Portrait of a Killer

This movie sheds wonderful insight into the propagation of illness in today's society via the inner workings of the human stress response.

NATIONAL GEOGRAPHIC
STRESS
PORTRAIT OF A KILLER

Impact on Primary Assumptions

- ▶ The World is Benevolent
- ▶ The World is Meaningful
- ▶ The Self is Worthy

Source: Bulman, Shattered Assumptions

Impact of Continual Exposure...

- ▶ Shattered assumptions about basic beliefs in our world for safety, security, trust, justice
- ▶ The world is not a good place, there is no meaning; pessimism, depression, irritability, sickness
- ▶ Heightened awareness of vulnerability and the fragility of life-increased anxiety/anger/...

One Attorney Says...

▶ "I think this happens to everyone whether they admit or not or show it or not. It is inevitable with that kind of caseload that one will at least at times go bonkers. This wears on all of us and on some of us more than others. We see colleagues severely affected all the time. I think the practice leaves scars. Some make it better than others, obviously, but everyone suffers....."

--criminal lawyer

Source: WisLAP Program permission granted

JUDGES SPEAK OUT

Some of the things 60 Canadian judges told a U.S. psychiatrist coach.

Statements about their jobs:

- 4 Cases of horrible, sexual, predatory exploitation of children haunt me. I keep my balance and my job as a judge by profoundly guarding myself against being swept away by the gruesome evidence I have to confront.
- 4 In my town as the district in a small community where you know everyone in the church, the neighborhood and even your kids.
- 4 On 10% of my work involves legal issues in my neighborhood. It may seem in family court, we are the dumping ground for the most awful and heinous cases and the worst ever professional families I feel I've ever a court in my entire career.
- 4 I always take work home. On the weekends I work. I'm stressed, even if I don't work. I'm behind. My own, of course! I can't even control the government in my courtroom.
- 4 I wasn't prepared for the violence of the work. It was just what I did. I've never been in the danger zone. I don't and I won't.
- 4 You're always on edge in the courtroom. If you have any sense you know you're going to be there when you get there.
- 4 The sheer volume of work you work makes me feel like I'm never going to get a moment's rest. I'm always in a hurry.

“Cases of horrible, sexual, predatory exploitation of children haunt me. I keep my balance and my job as a judge by profoundly guarding myself against being swept away by the gruesome evidence I have to confront.”

Zimmerman, (2002). Trauma and Judges. Canadian Bar Association Annual Meeting

Impact on Lawyers

- ▶ Powerlessness
 - ▶ Indecisive/Anxious
- ▶ Alienate from others



Fill in the blanks

- ▶ The world is a _____ place.
- ▶ Life is _____.
- ▶ I am _____ as a human being.
- ▶ I want to change _____ about my job.
- ▶ I want to change _____ about myself.
- ▶ Most often I feel _____.

So slow, is it even moving?



That which is to give light must endure burning.....

Victor Frankl



Rather Slow and Insidious...then increases... then overwhelming.....



Burning



Uncomfortable



Overwhelming

So what happens?



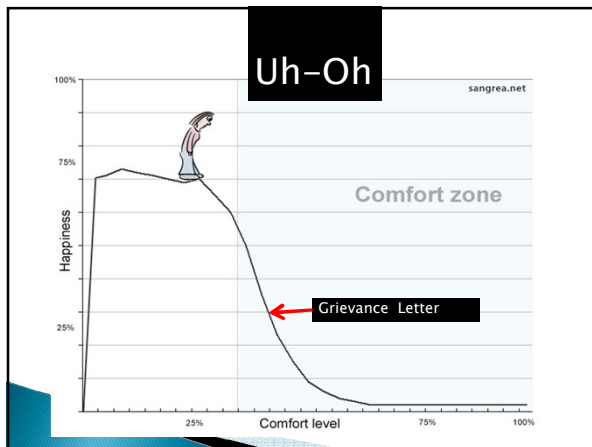
We crash.

Visible Results

- ▶ Strong correlation with what is known as “Disruptive Behavior”
 - Intimidation, Anger and Lashing Out
 - At opposing counsel
 - At support staff
 - At associates
- ▶ “Kick the dog” syndrome
- ▶ Spouse/partner and kids take the brunt of the frustration
- ▶ Enter the grievance and discipline process

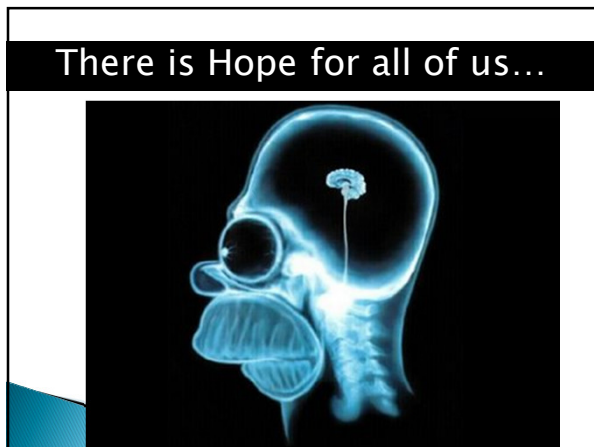
Most common client complaints & grievance notices

- ▶ Lack of communication
- ▶ Apathy (improper advocacy)
- ▶ Lack of Diligence
- ▶ i.e. “I just don’t care anymore.”





- ### Who most at risk?
- ▶ Criminal or family law attorneys/judges
 - ▶ High caseloads; long work hours
 - ▶ High % exposure to graphic evidence, 911 tapes, photos, videotapes, victim impact statements
 - ▶ Serving clients who have high levels of distress
 - ▶ Little if any education on the subject of CF
 - ▶ Little support from peers—isolation



Mitigating Compassion Fatigue for Lawyers

- ▶ Individual
- ▶ Professional
- ▶ Societal

- ▶ Awareness, Balance and Connection (Jaffe, et al.)

Insuring fitness to practice.....

The things that cause the things that cause the things.....

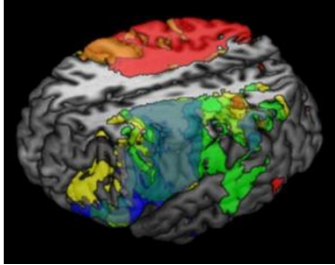


Organizational Contributions to Compassion Fatigue

- ▶ Heavy caseloads–Long Hours
- ▶ Inefficient administration
- ▶ Excessive paperwork
- ▶ Inadequate resources to meet the demands
- ▶ Lack of supportive supervision

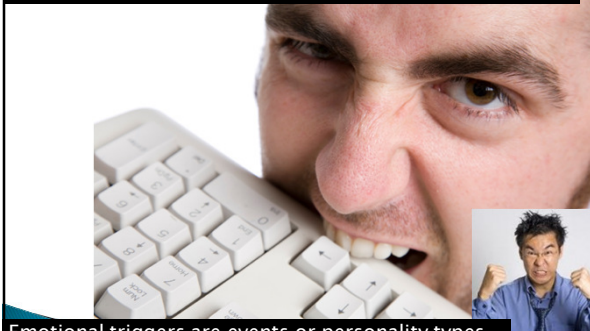
▶ Source: Levin et al. (2003), Osofsky et al. (2008)

Talking and Connections Help the Brain



What Individuals Can Do

Understanding Triggers



Emotional triggers are events or personality types that cause an intense emotional response.

Understanding Triggers

- ▶ Different for each one of us
- ▶ Examples:
 - Double Bind
 - Abuse of vulnerable populations
 - Disrespect from colleagues/judges/clients/people
 - Unfair, unjust realities of life and the system
 - The line at your door

Understanding Triggers

▶ What are yours?

Typical Responses to Triggers

- ▶ Anger,
- ▶ Depression, withdrawal
- ▶ Anxiety; work harder
- ▶ Stop caring, looks like burnout but is really a defense mechanism
- ▶ Physical complaints, headaches, stomach problems, back pain, fatigue
- ▶ Coping mechanisms that hurt more than help



Research-based suggestions for improving mood, increasing life satisfaction and mitigating stress

- Recognize the **risks** for yourself
- Find a way to **debrief** distressing material
- Work on **self awareness** every day
- Take an **inventory** of how balanced your life is—be intentional about balancing it out
- **Evaluate** your tension reducing behaviors
- Be **intentional** about **protecting** yourself



Becoming *Happier*

- ▶ Spin fewer plates:
Squeeze in less.

Becoming *Happier*

- ▶ It is the obvious:

Sleep
Exercise
Eat

Becoming Happier

- ▶ Don't deny negative emotions [fear, sadness, anxiety] – move toward them and accept them.
- ▶ Identify and speak with a close person (or people) who you trust to share your internal experience.

Becoming Happier

- ▶ It is not state of status or bank account – “state of mind” is what matters most.
- ▶ While we may be paid well, **money does not trigger the mirror neuron stimulus we (all humans) need to translate into better emotional health** in our bodies and psyches.
- ▶ What do you do at the end of the day to transition out of work? If nothing, admit that. Then change it.

Becoming Happier

- ▶ Intersect pleasure and meaning → interests are central.
- ▶ Express Gratitude
- ▶ Try making a gratitude list every morning of 3 things you are grateful for. Do it for a few months and see what you notice. It will change your life.

Adapted from T. Ben-Shahar

Express Gratitude

Thank you!

First Self Assessment Exercise

Observe the work that you do. Does it have:

- A large volume of demand (and often increasing demands, such as more and more clients to see or more and more paperwork to do)?
- Continually dwindling resources?
- Exposure to difficult stories of loss, pain, death and suffering?
- Do you work with clients who face seemingly insurmountable obstacles, have chronic needs or even clients who get worse rather than get better?

All of these elements can contribute to compassion fatigue and vicarious trauma.

Ask yourself the four following questions:

1) Where do the stories go?

What do you do at the end of a work day to put difficult client stories away and go home to your friends and family?

2) Were you trained for this?

Did your training offer you an education on self care, compassion fatigue, vicarious trauma or burnout? If it did, how up to date are you on those strategies? If it didn't, which is still true for the majority of us over a certain age, how much do you know about these concepts?

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3) What are your particular vulnerabilities?

Two things we know for sure about the field of helping: one, that a large percentage of helpers have experienced primary trauma at some point in their past, which may have led them to being attracted to the field in the first place. Two, that personality types who are attracted to the field of helping (rather than, say, mechanical engineering) are more likely to feel highly attuned and empathy towards others, which makes them good at their job and also more vulnerable to developing CF, VT and Burnout.

4) How do you protect yourself while doing this very challenging work?

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Compassion Fatigue and Vicarious Trauma – Signs and Symptoms

Physical Signs and Symptoms

- Exhaustion
- Insomnia
- Headaches
- Increased susceptibility to illness
- Somatization and hypochondria

Behavioral Signs and Symptoms

- Increased use of alcohol and drugs
- Absenteeism
- Anger and Irritability
- Avoidance of clients
- Impaired ability to make decisions
- Problems in personal relationships
- Attrition
- Compromised care for clients
- The Silencing Response
- Depleted parenting

Psychological signs and symptoms

- Emotional exhaustion
- Distancing
- Negative self image
- Depression
- Sadness, Loss of hope
- Anxiety
- Guilt
- Reduced ability to feel sympathy and empathy
- Cynicism
- Resentment
- Dread of working with certain clients
- Feeling professional helplessness
- Diminished sense of enjoyment/career
- Depersonalization/numbness
- Disruption of world view/ heightened anxiety or irrational fears
- Inability to tolerate strong feelings
- Problems with Intimacy
- Intrusive imagery – preoccupation with trauma
- Hypersensitivity to emotionally charged stimuli
- Insensitivity to emotional material
- Difficulty separating personal and professional lives
- Failure to nurture and develop non work related aspects of life

Sources: Saakvitne (1995), Figley (1995), Gentry, Baranowsky & Dunning (1997), Yassen (1995)

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EVALUATING YOUR CONTRIBUTING FACTORS:

Assess the following elements with this continuum in mind:

Annoying → Distressing → Traumatic

Nature of the work, the cases and the workplace; in your role:

- what events, incidents, cases, stories are the most difficult? Why?
- how much control do you have over your schedule?
- does this schedule work for you; can you adequately negotiate your workload?
- how has the workload changed over the years?
- do your work tasks vary from day to day; do you like the work you do;
- are you sufficiently trained to do the work you do?
- how much support do you have; is supervision adequate; helpful; supportive?

Nature of the clientele; in your role:

- how many clients do you have contact with each day?
- do you have variety with the types of clients you work with?
- what types of clients are the most difficult for you and why?
- how do your clients treat you?
- are you ever afraid of your clients? -ever been harmed by a client?
- how do you treat your clients?

Nature of the worker; for you personally:

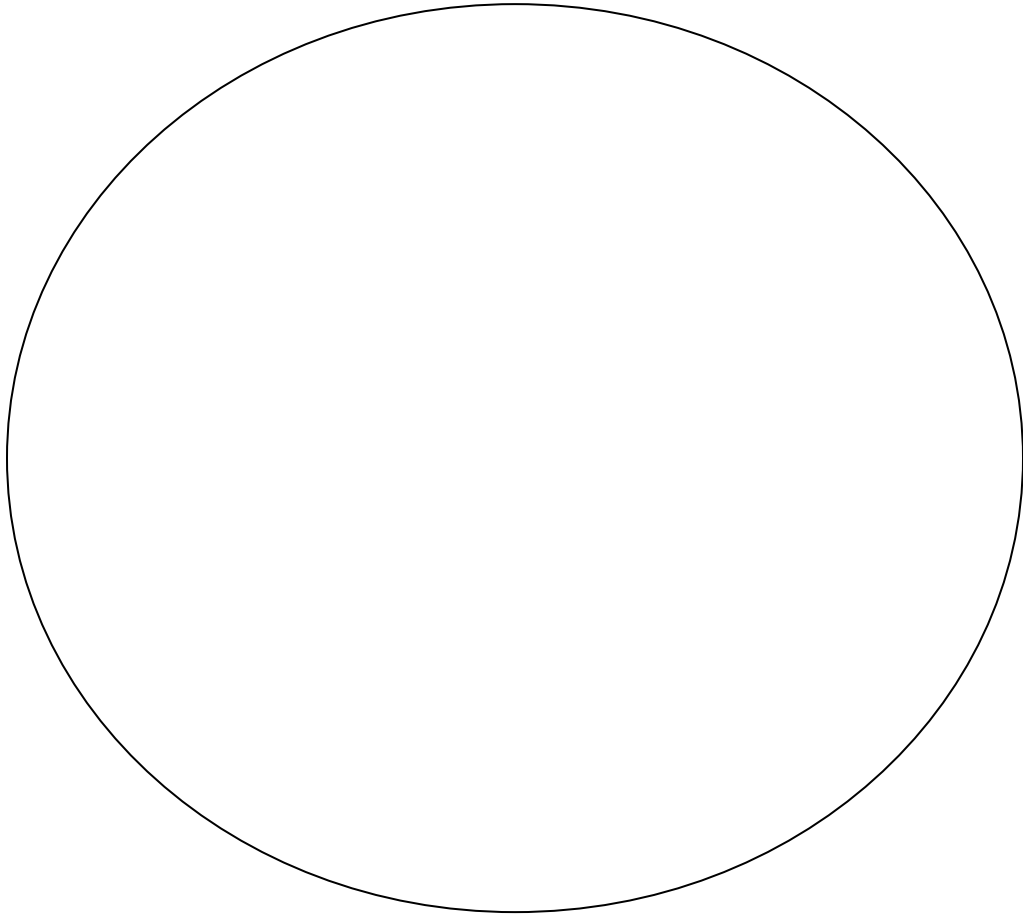
- how well suited are you personally for the work you do?
- how well does the work you do match your values and beliefs?
- what does your current stress index look like on a scale of 1(no stress) to 10 (extreme stress)?
- can you identify the factors in your life that produce the most stress?
- what coping mechanisms do you use to manage or decrease stress?
- do you have supportive interpersonal relationships?
- do you engage in a hobby or leisure activity every week?

Nature of the social/cultural context: in your role:

- what are the social obstacles to doing your work? (funding cuts, furlough days etc)
- how are you received within the community based on the work that you do and the work of your organization; do you feel respected?
- what does the community say about the clientele you serve?
- what effect, if any, does the above have upon you personally?

Excerpted from *Transforming the Pain* (1996) pp 53-55 and *Compassion Fatigue Train the Trainer Workbook* (2008) pp 42-43.

WHAT'S ON YOUR PLATE?



SELF CARE INVENTORY (Reprinted with permission)

Mark "X" for what you already do. Mark "O" for what you wish you did more often.

<p>Physical Self-Care</p> <p><input type="checkbox"/> Eat Regularly (e.g. breakfast, lunch, and dinner)</p> <p><input type="checkbox"/> Eat healthily</p> <p><input type="checkbox"/> Exercise</p> <p><input type="checkbox"/> Get regular medical care for prevention</p> <p><input type="checkbox"/> Get medical care when needed</p> <p><input type="checkbox"/> Take time off when sick</p> <p><input type="checkbox"/> Get massages</p> <p><input type="checkbox"/> Dance, swim, walk, run, play sports, sing, or do some other physical activity that is fun</p> <p><input type="checkbox"/> Take time to be sexual – with yourself, with a partner</p> <p><input type="checkbox"/> Get enough sleep</p> <p><input type="checkbox"/> Wear clothes you like</p> <p><input type="checkbox"/> Take vacations</p> <p><input type="checkbox"/> Take day trips or mini-vacations</p> <p><input type="checkbox"/> Make time away from telephones</p> <p><input type="checkbox"/> Other:</p> <p>Psychological Self-Care</p> <p><input type="checkbox"/> Make time for self-reflection</p> <p><input type="checkbox"/> Have your own personal psychotherapy</p> <p><input type="checkbox"/> Write in a journal</p> <p><input type="checkbox"/> Read literature that is unrelated to work</p> <p><input type="checkbox"/> Do something at which you are not expert or in charge of</p> <p><input type="checkbox"/> Decrease stress in your life</p>	<p><input type="checkbox"/> Notice your inner experience – listen to your thoughts, judgments, beliefs, attitudes and feelings</p> <p><input type="checkbox"/> Let others know different aspects of you</p> <p><input type="checkbox"/> Engage your intelligence in a new area (e.g. go to an art museum, history exhibit, sports event, auction, theater performance)</p> <p><input type="checkbox"/> Practice receiving from others</p> <p><input type="checkbox"/> Be curious</p> <p><input type="checkbox"/> Say no to extra responsibilities sometimes</p> <p><input type="checkbox"/> Other:</p> <p>Emotional Self-Care</p> <p><input type="checkbox"/> Spend time with others whose company you enjoy</p> <p><input type="checkbox"/> Stay in contact with important people in your life</p> <p><input type="checkbox"/> Give yourself affirmations, praise yourself</p> <p><input type="checkbox"/> Love yourself</p> <p><input type="checkbox"/> Reread favorite books, re-view favorite movies</p> <p><input type="checkbox"/> Identify comforting activities, objects, people, relationships, places, and seek them out</p> <p><input type="checkbox"/> Allow yourself to cry</p> <p><input type="checkbox"/> Find things that make you laugh</p> <p><input type="checkbox"/> Express your outrage in social action, letters, donations, marches, protests</p> <p><input type="checkbox"/> Play with children</p> <p><input type="checkbox"/> Other:</p>
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<p>Spiritual Self-Care</p> <p><input type="checkbox"/> Make time for reflection</p> <p><input type="checkbox"/> Spend time with nature</p> <p><input type="checkbox"/> Find a spiritual connection or community</p> <p><input type="checkbox"/> Be open to inspiration</p> <p><input type="checkbox"/> Cherish your optimism and hope</p> <p><input type="checkbox"/> Be aware of non-material aspects of life</p> <p><input type="checkbox"/> Try at times not to be in charge or the expert</p> <p><input type="checkbox"/> Be open to not knowing</p> <p><input type="checkbox"/> Identify what you is meaningful to you and notice its place in your life</p> <p><input type="checkbox"/> Meditate</p> <p><input type="checkbox"/> Pray</p> <p><input type="checkbox"/> Sing</p> <p><input type="checkbox"/> Spend time with children</p> <p><input type="checkbox"/> Have experiences of awe</p> <p><input type="checkbox"/> Contribute to causes in which you believe</p> <p><input type="checkbox"/> Read inspirational literature (e.g. talks, music)</p> <p><input type="checkbox"/> Other:</p>	<p>Workplace or Professional Self-Care</p> <p><input type="checkbox"/> Take a break during the work day (e.g. lunch)</p> <p><input type="checkbox"/> Take time to chat with co-workers</p> <p><input type="checkbox"/> Make quiet time to complete tasks</p> <p><input type="checkbox"/> Identify projects or tasks that are exciting and rewarding</p> <p><input type="checkbox"/> Set limits with clients and colleagues</p> <p><input type="checkbox"/> Balance your caseload so no one day or part of a day is “too much.”</p> <p><input type="checkbox"/> Arrange your work space so it is comfortable and comforting</p> <p><input type="checkbox"/> Get regular supervision or consultation</p> <p><input type="checkbox"/> Negotiate for your needs (benefits, pay raise)</p> <p><input type="checkbox"/> Have a peer support group</p> <p><input type="checkbox"/> Develop a non-trauma area of professional interest</p> <p><input type="checkbox"/> Other:</p> <p>Balance:</p> <p><input type="checkbox"/> Strive for balance with your work life and work day</p> <p><input type="checkbox"/> Strive for balance among work, family, relationships, play and rest</p>
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Developing a Compassion Fatigue Protection Plan

What components will go into my plan?

What are my warning signs and symptoms?

Who will I check in with to hold me accountable or to cue me?

What things do I have control over in my life?

How will I relieve stress in a way that works for me?
(Intervention)

What stress prevention/reduction strategies will I use?
(Prevention)

Adapted from Francoise Mathieu: Compassion Fatigue Train the Trainer Workbook (2008)

IDEA FACTORY

Commitment to Changes I could make in the next...

Week:

Month:

Year:

