

NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

The Effects of Extended Exposure to Drama and Trauma in the Courtroom

An examination of Compassion Fatigue

Robynn Moraites
Executive Director
NC Lawyer Assistance Program

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

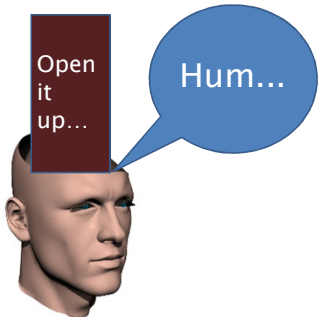
Training Objectives

- 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

nclap.org



NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM



Open it up...

Hum...

nclap.org



Lawyers are Human Beings

Sister says, "To Err Is Human, To Laugh Is Divine!"

Nuns Having Fun

Calendar for 2008


By MARTIN KELLY and JERRY DEAN
in spirit with Sister's by Sister's

nclap.org

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 _____.


nclap.org



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

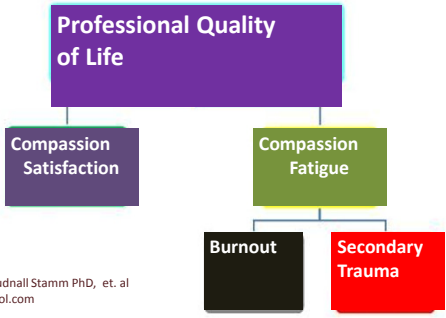

nclap.org



Doing...

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

nclap.org



Professional Quality of Life

Compassion Satisfaction

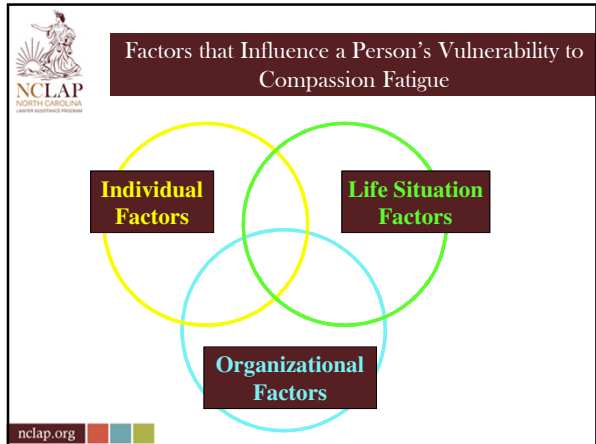
Compassion Fatigue


Burnout

Secondary Trauma

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

nclap.org






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.

Disabled ←————→ Top of your game

nclap.org

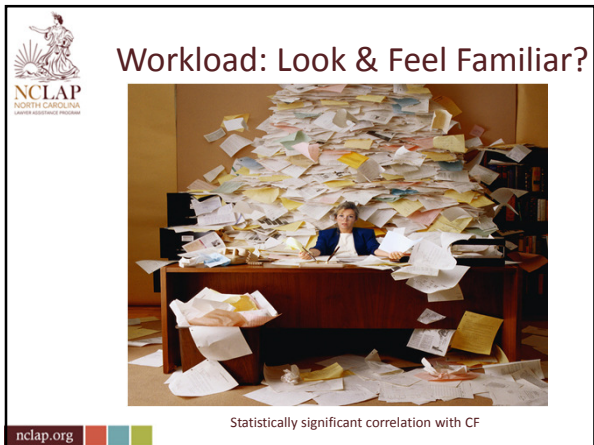


Typical Attorney Workload



nclap.org





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)


nclap.org




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)

nclap.org




Competitive Nature of Stress



nclap.org






NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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

nclap.org



NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

Balancing Act for Lawyers

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

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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: Vrklevisi et al. (2008) and Levin et al. (2003) and Jaffe et al. (2006)

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

Role of Mirror Neurons in the Brain



nclap.org

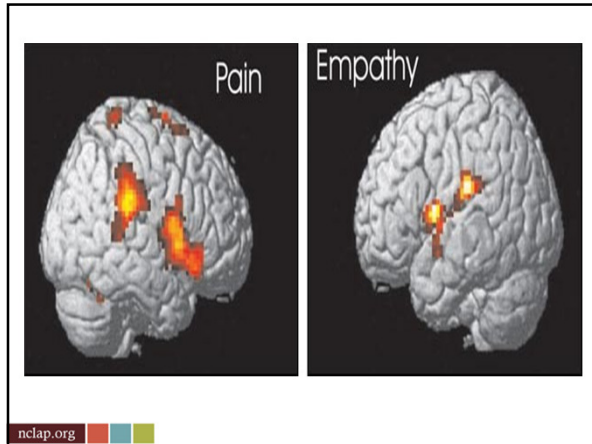


NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM


Empathy

- Experience the experiences of someone else (Shane, 2008)
- Enduring those same experiences and emotions (Lydia L. 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*

nclap.org



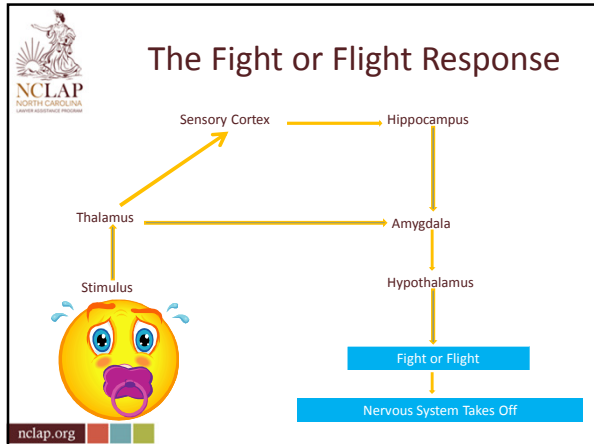




Brain Chemistry

- Reptilian Brain (instincts)
- Limbic Brain (emotion, memory)
- Frontal Lobe (reason)
- These work together, while we think, something else is going on.

nclap.org



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.

Only 50 minutes long.

Available on Netflix.


nclap.org

Impact on Primary Assumptions

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

Source: Bulman, Shattered Assumptions


nclap.org



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/...

nclap.org




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

nclap.org



JUDGES SPEAK OUT

Some of the things the Canadian judges told U.S. psychologists today.

Experiences about their jobs:

- 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.
- I am not in the field as a small community where you can speak to a number of the church, the neighborhood and know your kids.
- On the title of my work involves, and I have to be ready, adjusted, to see how in family court, we are the dumping ground for massive social and economic issues and the acts of very dysfunctional families. I don't see them as just a bunch of people.
- I always take work home. On the weekends I work, I come, work, then I work. I don't have a life in my home. I'm open at all times. I can't even control the domestic in my household.
- I wasn't prepared for the volume of the evidence. It is very overwhelming, and I have to make sure I have the support of my friends and family.
- You're always on edge in the hallway of your home. You're always on edge in the hallway of your home. You're always on edge in the hallway of your home.
- The three volumes of each day's work make me feel like I'm going to be overwhelmed.

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

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

Impact on Lawyers

- Powerlessness
 - Indecisive/Anxious
- Alienate from others



nclap.org



NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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 _____.

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

So slow, is it even moving?




nclap.org



NCLAP
NORTH CAROLINA
LEARNER ASSISTANCE PROGRAM

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



Victor Frankl

nclap.org



NCLAP
NORTH CAROLINA
LEARNER ASSISTANCE PROGRAM

Rather slow and insidious....
then increases... then overwhelming....



Burning



Uncomfortable



Overwhelming

nclap.org



NCLAP
NORTH CAROLINA
LEARNER ASSISTANCE PROGRAM

So what happens?



We crash.

nclap.org



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

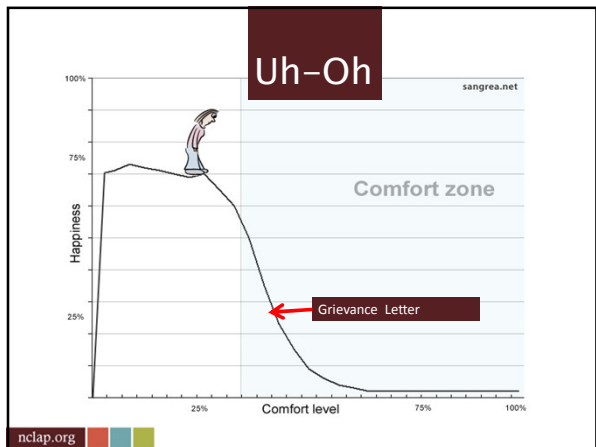
nclap.org



Most common client complaints & grievance notices

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

nclap.org













Mitigating Compassion Fatigue for Lawyers

- Individual
- Professional
- Societal
- Awareness, Balance and Connection (Jaffe, et al.)


nclap.org



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



nclap.org



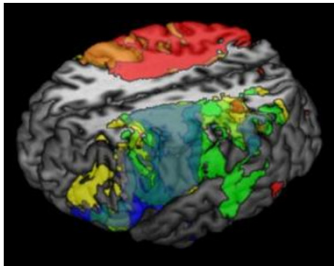
Organizational Contributions to Compassion Fatigue

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

Source: Levin et al. (2003), Ososky et al. (2008)

nclap.org

Talking and Connections Help the Brain



What Individuals Can Do

nclap.org



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

nclap.org





Understanding Triggers

•What are yours?

nclap.org



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



nclap.org



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

nclap.org

How Many are You Spinning?...



nclap.org



Becoming Happier

- Spin fewer plates:
–Squeeze in less.

nclap.org




Becoming Happier

- It is the obvious:

Sleep
Exercise
Eat

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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.

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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.

nclap.org




NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

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

nclap.org



If you need to reach us:

Robynn Moraites Executive Director 704-892-5699 robbynmoraites@gmail.com	Cathy Killian Charlotte and Areas West 704-910-2310 cathy.d.killian@gmail.com
Ed Ward Raleigh and Areas East 919-828-6425 eward@ncbar.gov	Towanda Garner Piedmont Triad Area 919-719-9290 tgarner@ncbar.gov

nclap.org

Thank you!
