Reinventing How You Practice:
Less Stress, More Vibrancy, and an Understanding of Compassion Fatigue in the Legal Profession

Robynn Moraites
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
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 _____.

Lawyers are Human Beings
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

By Beth Hudnall Stamm PhD, et. al
www.proqol.com
Factors that Influence a Person’s Vulnerability to Compassion Fatigue

- Individual Factors
- Life Situation Factors
- Organizational Factors

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
Statistically significant correlation with CF

- 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

Workload: Look & Feel Familiar?

Individual Vulnerabilities and Life Situations
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
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

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: Vrhovski 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 (Lydialyle 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.
The Fight or Flight Response

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.

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: WiLAP Program permission granted
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.....
Rather Slow and Insidious....
then increases...
then 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.”

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**Uh-Oh**

- Graph showing the increase in stress as comfort level decreases, with a spike labeled "Grievance Letter".

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**The Two Big Uglies**

- Workload/Hours
- Trauma Exposure
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

There is Hope for all of us...

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), O’Reilly et al. (2008)

Talking and Connections Help the Brain

What Individuals Can Do
Emotional triggers are events or personality types that cause an intense emotional response.

Various 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

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

How Many Are You Spinning?...
**Becoming Happier**

- Spin fewer plates: Squeeze in less.

- It is the obvious:
  - Sleep
  - Exercise
  - Eat

- 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.

Express Gratitude

To improve this online training – and others – we need your feedback. Please take a moment to complete our short evaluation. Your opinions are invaluable.
WHAT'S ON YOUR PLATE?
Compasion 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

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?

**SELF CARE INVENTORY** (Reprinted with permission)
Mark "X" for what you already do. Mark "O" for what you wish you did more often.

<table>
<thead>
<tr>
<th>Physical Self-Care</th>
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<tbody>
<tr>
<td>___ Eat Regularly (e.g. breakfast, lunch, and dinner)</td>
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<td>___ Eat healthily</td>
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<td>___ Exercise</td>
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<td>___ Get regular medical care for prevention</td>
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<td>___ Get medical care when needed</td>
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<td>___ Take time off when sick</td>
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<td>___ Get massages</td>
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<td>___ Dance, swim, walk, run, play sports, sing, or do some other physical activity that is fun</td>
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<td>___ Take time to be sexual – with yourself, with a partner</td>
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<td>___ Get enough sleep</td>
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<td>___ Wear clothes you like</td>
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<td>___ Take vacations</td>
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<td>___ Take day trips or mini-vacations</td>
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<td>___ Make time away from telephones</td>
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<td>___ Other:</td>
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<tr>
<th>Psychological Self-Care</th>
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<tr>
<td>___ Make time for self-reflection</td>
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<td>___ Have your own personal psychotherapy</td>
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<td>___ Write in a journal</td>
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<td>___ Read literature that is unrelated to work</td>
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<td>___ Do something at which you are not expert or in charge of</td>
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<td>___ Decrease stress in your life</td>
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<td>___ Notice your inner experience – listen to your thoughts, judgments, beliefs, attitudes and feelings</td>
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<td>___ Let others know different aspects of you</td>
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<td>___ Engage your intelligence in a new area (e.g. go to an art museum, history exhibit, sports event, auction, theater performance)</td>
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<td>___ Practice receiving from others</td>
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<td>___ Be curious</td>
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<td>___ Say no to extra responsibilities sometimes</td>
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<td>___ Other:</td>
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**Emotional Self-Care**

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<tr>
<td>___ Spend time with others whose company you enjoy</td>
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<td>___ Stay in contact with important people in your life</td>
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<td>___ Give yourself affirmations, praise yourself</td>
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<td>___ Love yourself</td>
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<td>___ Reread favorite books, re-view favorite movies</td>
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<td>___ Identify comforting activities, objects, people, relationships, places, and seek them out</td>
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<td>___ Allow yourself to cry</td>
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<td>___ Find things that make you laugh</td>
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<td>___ Express your outrage in social action, letters, donations, marches, protests</td>
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<tr>
<td>___ Play with children</td>
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<td>___ Other:</td>
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<th><strong>Spiritual Self-Care</strong></th>
<th><strong>Workplace or Professional Self-Care</strong></th>
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<tr>
<td>___ Make time for reflection</td>
<td>___ Take a break during the work day (e.g. lunch)</td>
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<td>___ Spend time with nature</td>
<td>___ Take time to chat with co-workers</td>
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<td>___ Find a spiritual connection or community</td>
<td>___ Make quiet time to complete tasks</td>
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<td>___ Be open to inspiration</td>
<td>___ Identify projects or tasks that are exciting and rewarding</td>
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<td>___ Cherish your optimism and hope</td>
<td>___ Set limits with clients and colleagues</td>
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<td>___ Be aware of non-material aspects of life</td>
<td>___ Balance your caseload so no one day or part of a day is “too much.”</td>
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<td>___ Try at times not to be in charge or the expert</td>
<td>___ Arrange your work space so it is comfortable and comforting</td>
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<td>___ Be open to not knowing</td>
<td>___ Get regular supervision or consultation</td>
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<tr>
<td>___ Identify what you is meaningful to you and notice its place in your life</td>
<td>___ Negotiate for your needs (benefits, pay raise)</td>
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<td>___ Meditate</td>
<td>___ Have a peer support group</td>
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<tr>
<td>___ Pray</td>
<td>___ Develop a non-trauma area of professional interest</td>
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<td>___ Sing</td>
<td>___ Other:</td>
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<tr>
<td>___ Spend time with children</td>
<td>Balance:</td>
</tr>
<tr>
<td>___ Have experiences of awe</td>
<td>___ Strive for balance with your work life and work day</td>
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<tr>
<td>___ Contribute to causes in which you believe</td>
<td>___ Strive for balance among work, family, relationships, play and rest</td>
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<td>___ Read inspirational literature (e.g. talks, music)</td>
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<td>___ Other:</td>
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Adapted from *Transforming the Pain: A Workbook on Vicarious Traumatization* by Karen W. Saakvitne & Laurie Anne Pearlman. Copyright (c) 1996 by the Traumatic Stress Institute/Center for Adult & Adolescent Psychotherapy. Used by permission of W.W. Norton & Company, Inc.

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