

Help for the Helper

The Effects of Trauma and Compassion Fatigue on the Lawyer Who Cares

Presented By:

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Education and Outreach Coordinator

**Lawyers Concerned for Lawyers of
PA, Inc.**



Help for the Helper - *The Effects of Trauma and Compassion Fatigue on the Lawyer Who Cares*

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Brian S. Quinn, Esq., is a licensed attorney in Pennsylvania who currently serves as the Education and Outreach Coordinator for Lawyers Concerned for Lawyers of Pennsylvania, Inc., a Lawyers Assistance Program established in 1988 for the purpose of helping lawyers, judges and law students recover from alcoholism, drug misuse and addiction, and mental health disorders.

Mr. Quinn obtained his undergraduate degree in 1970, his law degree in 1973 and a certificate in Drug and Alcohol counselling in 2012, from Villanova University. In addition to his role with Lawyers Concerned for Lawyers, he has been a private practitioner for over 45 years and has also worked in the field of Alcohol and Drug Counseling in suburban Philadelphia.

Mr. Quinn has written articles and made presentations on a variety of lawyer wellness topics to law firms, state and local bar associations, professional organizations and CLE providers on both a national and international level.

Agenda

LAP/LCL Services

Burnout/Secondary Trauma

Compassion Fatigue

Why Lawyers are at Risk

Strategies





Topic one

LAWYERS ASSISTANCE PROGRAM SERVICES

What Is A LAP ?

Our mission:

To provide a caring peer assistance program to save the lives and restore the health and professional competence of lawyers, members of their families, judges and law students who are at risk as a result of alcohol and drug use, gambling, depression or other serious mental illness. We carry out this mission through a combination of confidential helpline services, volunteer support and education.

- Free information and literature
- Free evaluation by a healthcare professional
- Free assistance with interventions
- Peer support
- Lawyer/Judge/Law Student-only support group meetings
- LCL staff support
- **FULLY OPERATIONAL** during COVID

Our services
are **free, confidential,**
non-judgmental and **non-obligator**
y.

Lawyers Concerned for Lawyers of Pennsylvania, PA

CONFIDENTIAL Helpline

1-888-999-1941

**24 hrs./day, 7 days/week,
365 days/year**

www.lclpa.org

We Protect Your Identity and Information

LAP's* do **not** report or disclose any identifying information to the Supreme Court, the Judicial Conduct Board, the Disciplinary Board, the Board of Law Examiners or any other agency of the Supreme Court; nor do we report or disclose any identifying information to the Conference of State Trial Judges, State or local Bar Association or any judicial or law related organization. We do not report any identifying information to anyone without your prior consent.

You may remain anonymous and still receive LAP services.

***Consult the Rules of Professional Conduct in your State**

GUIDANCE FROM THE COURT

Most*Rules of Professional Conduct address that concern by providing an exception to the duty to report. ABA Model Rule 8.3(c): “The Rule does not require disclosure of information otherwise protected by Rule 1.6 or information gained by a lawyer or judge while participating in an approved lawyers assistance program.”

Comment 7 : “Providing for an exception ... encourages lawyers and judges to seek treatment through such a program. Conversely, without such an exception, lawyers and judges may hesitate to seek assistance from these programs, which may then result in additional harm to their professional careers and additional injury to the welfare of clients and to the public.” (emphasis added)

*** Consult the Rules of Professional Conduct in your State**

Topic two

BURNOUT & SECONDARY TRAUMA



What Is BURNOUT ?

- **Fatigue**, no matter how much someone rests or sleeps. An **exhaustion that runs deeper than sleep deprivation.**
- **Cynicism** about life or a feeling that **nothing a person does really matters.** Burned out people are generally **disengaged**
- A sense of **inefficacy**. Burned out people feel like they are **exerting significant effort, but are not making any progress** or gaining any recognition.
- Burnout syndrome is **not a medically recognized condition**, thus there is no clear diagnosis or treatment.

What Is BURNOUT ?

- Constant anxiety
- Feeling overwhelmed
- Changes in personality
- Irritability
- Pessimism
- Obsessive thoughts
- Feelings of inadequacy and dread



What Is Secondary Traumatic Stress ?

- A continued exposure to accounts of extremely or traumatically stressful events from those who experienced them firsthand. STS is acquired vicariously from working with a trauma survivor.



What is Trauma ?

“Individual trauma results from an event, series of events or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has long lasting adverse effects on the individual’s functioning and mental, physical, social, emotional and spiritual well-being.”

Substance Abuse and Mental Health Services Administration a.k.a. SAMHSA

Trauma must be addressed and processed emotionally, physically, cognitively and spiritually to prevent and/or treat negative long term impact on a survivor.



STS in Lawyers and Judges



'Secondary Traumatic Stress' (STS)

Cumulative effect of listening to clients' stories, gruesome testimony and photos-dealing w/ traumatized people

Distorted view of him/herself, the world and others

Exists on a continuum

Esp. in family law & criminal defense attys and judges in specialty courts and those on bench >6 yrs. (*Jaffe 2009*) (*Levin 2011*)

STS in Lawyers and Judges



Avoiding certain questions in client interviews

Decreased empathy toward clients/parties

Over-identifying with client

Argumentative or impatient

Having disturbing images from cases intrude into thoughts & dreams

Topic three

Compassion Satisfaction and
Compassion Fatigue



What Is Compassion Satisfaction?

- Compassion satisfaction is the pleasure one derives from being able to do their work well as a helping professional



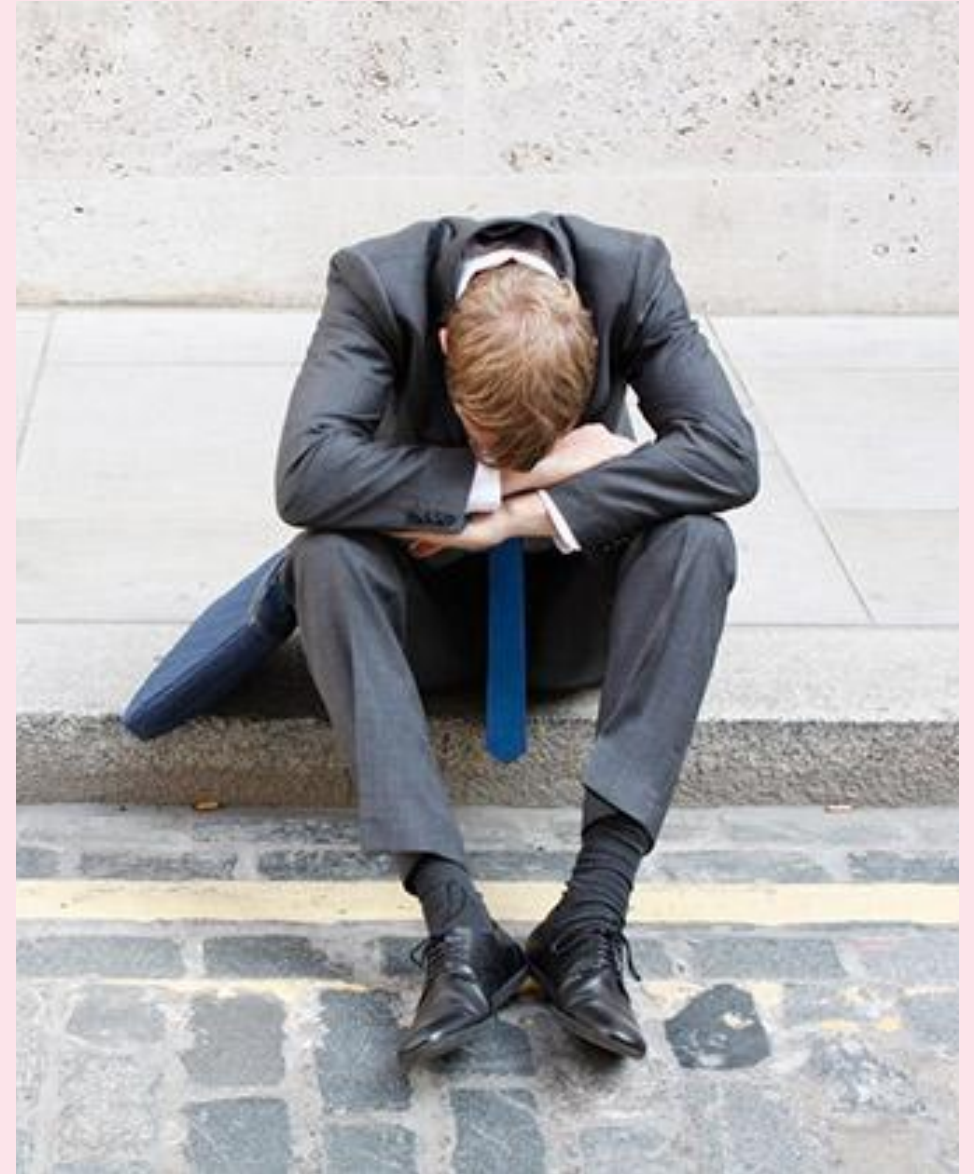
What Is Compassion Satisfaction?

- Compassion satisfaction is in direct contrast to secondary stress and burnout. It provides motivation, stamina, interest and a sense of well being.



What Is Compassion Fatigue ?

- Compassion Fatigue is a syndrome resulting specifically from empathizing with people who are experiencing pain and suffering.



What Are the Four Stages of Compassion Fatigue ?

- 1. Zealot phase.** A person is passionate and excited about work. They may go above and beyond to show their commitment and eagerness to excel.
- 2. Irritability phase.** Feelings of enthusiasm start to wane, followed by avoiding work responsibilities. While still performing in their care-taking role, their commitment to quality work declines, and they become more careless and make mistakes.



What Are the Four Stages of Compassion Fatigue ?

- 3. Withdrawal phase.** No longer feeling passionate about work, the line between personal life and client responsibilities blurs. The lack of clear boundaries results in irritability towards and about those being represented and total detachment from the helping role.
- 4. Zombie phase.** The caregiver continues to distance themselves from those they take care of and sink into a depression. They may feel despondent and angry, and project this onto coworkers, viewing them as incompetent.

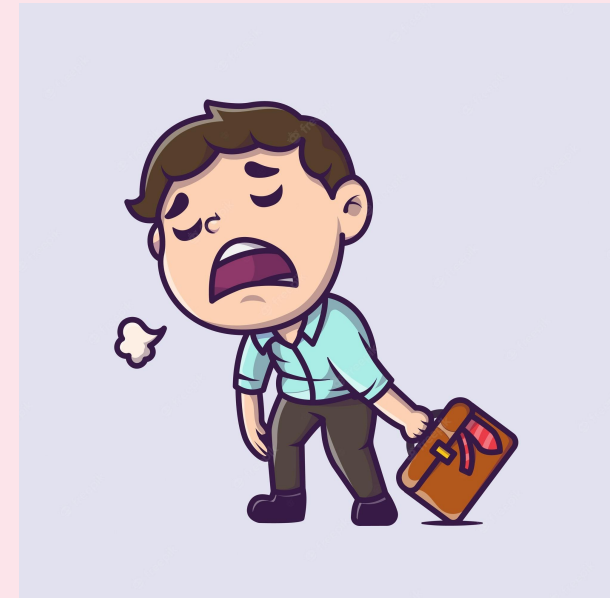


Symptoms of Compassion Fatigue

1. Perceiving the resources and support available for work as chronically outweighed by the demands
2. Having client/work demands regularly encroach on personal time
3. Feeling overwhelmed and physically and emotionally exhausted
4. Having disturbing images from cases intrude into thoughts and dreams
5. Becoming emotionally detached and numb in professional and personal life; experiencing increased problems in personal relationships
6. Becoming pessimistic, cynical, irritable, and prone to anger
7. Viewing the world as inherently dangerous, and becoming increasingly vigilant about personal and family safety
8. Withdrawing socially and becoming emotionally disconnected from others
9. Becoming demoralized and questioning one's professional competence and effectiveness
10. Secretive self-medication/addiction (alcohol, drugs, work, sex, food, gambling, etc.)
11. Becoming less productive and effective professionally and personally

Physical Signs of Compassion Fatigue

- Headaches
- Digestive Problems
- Cardiac Problems
- Fatigue, Sleeping Problems
- Loss of strength
- Increased accidents
- Increased startle response (jump at the slam of a door)



Work Signs of Compassion Fatigue

- Increased absenteeism, tardiness
- Expressing desire to quit
- Avoiding intense client situations
- Decreased work performance
(increased errors, decreased documentation accuracy)
- Starting to hope clients don't show up
- Not wanting to answer the phone or not returning calls from certain clients





Similarities Between CF and Burnout

- Emotional exhaustion.
- Reduced sense of personal accomplishment or meaning in work.
- Mental exhaustion.
- Decreased interactions with others (isolation)
- Depersonalization (symptoms disconnected from real causes)
- Physical exhaustion.

Differences Between CF and Burnout

Compassion Fatigue

1. caused by the exposure of traumatic material or traumatized clients.
2. has a rapid onset and can be felt after the first experience of one's trauma.
3. describes the impact of helping others.
4. has a quicker recovery time than burnout

Burnout

1. caused by work-related attributes such as the job, coworkers, one's supervisor and poor work culture.
2. emerges gradually over time as the work-related attributes pile up.
3. describes the impact of a stressful workplace if managed early.
4. Burnout has a longer recovery time.

Topic four

Why Lawyers ?



Why Lawyers ?

While most people experience stress in their lives, lawyers and people in the legal profession face a unique conundrum : For many, the drive and dedication that make them successful as a lawyer is also what's causing stress and burning them out !



Why Lawyers ?

- High expectations and accountability
- Lack of work-life balance
- High stress level
- High stress levels & work-weeks >50 hrs. are consistent predictors of SUD's and their severity.
- 67% of attorneys/judges work more than 40 hours/week.
- Inherent pessimism



Why Are Legal Professionals at High Risk of Mental Health & Substance Use Disorders?

- Conflict driven and adversarial profession
- Emotional detachment
- Win-lose, often rigid thinking (black and white thinking)
- Perfectionism
- Excessive self-reliance

These traits are great for a successful career, but not so great for mental health.



In other words.....

Our personalities
and our Profession
put us at High Risk





***IT WILL AFFECT
YOU.***

***REMEMBER – No One
Makes It Out
Unscathed!***

it is "normal" to be affected
by your work and
traumatic events

recognizing this is the most
important coping skill that
you can give to yourself

it is okay to feel outraged,
horrified, shocked,
saddened etc.

BUT...if overwhelmed seek
help, be aware of what is
going on

Topic five

Strategies
(that work)





impossible

**Set *REALISTIC* Goals for
Yourself**

Steps for Handling Compassion Fatigue



- Pause – lean back- give your eyes a rest for a couple minutes.
- Take three deep breaths and imagine your muscles relaxing from head to toe.
- Be mindful. Focus on the immediate present. Enjoy the moment.
- Stretch. Walk around your office or go outside.
- Maintain a sense of humor about yourself.
- Vary your routine. Don't get trapped in a rut.
- **Understand the symptoms of compassion fatigue are natural and can be managed.** We chose a profession that is both challenging and rewarding.

Steps for Handling Compassion Fatigue



These are the most difficult, but have the best long-term results

1. Create a cultural change in the work environment which values relationships.
2. Actually DO something about “the hours”- maintain a realistic Work-Life balance.
3. Treat people in a civil, professional manner *at all times*.
4. Encourage friendships, communication, mentoring and reduce isolation.
5. Create an environment that encourages the sharing and discussion of stressors.



SET BOUNDARIES

Meditation/Mindfulness

- Key to being truly present/not projecting
- Key to identifying our TRUE feelings
- Acknowledge feelings but don't attach (mountain/clouds)
- Breathing meditation
- Reduces "mental chatter"
- Helps eliminate the "what if's"
- Normal for us all to feel WAVES of emotion in our work



Gratitude

- Improves sleep
- We become more centered on others/humility
- Memorialize for reflection
- Gratitude journal
- Positive state of mind
- Directly correlated with Happiness and Peace
- Builds resiliency
- Boost productivity



WHAT DOES IT MEAN TO BE TRAUMA –INFORMED ?

- **Awareness**

Understand what compassion fatigue is and periodically self-assess for it.

- **Debriefing**

Talk regularly with another who understands about how you think and feel

- **BE INTENTIONAL !!**

If you are overwhelmed and struggling with depression, anxiety, substance/alcohol misuse, or compassion fatigue.....

DON'T WAIT !!



What keeps lawyers from seeking or accepting the help they so desperately need ??

- Shame and Embarrassment – **STIGMA**
- Denial
- Cunning, insidious nature of diseases
- Enabling

***What can
YOU do ??***



Although it is difficult, remember that your end goal is to help motivate the distressed lawyer or judge to seek the professional help they so desperately need.

Six Core Steps for a Sustainable Culture in the Legal Profession:

- 1.** Identify stakeholders and their roles.
- 2.** Diminish stigma associated with seeking help.
- 3.** Emphasize that well-being is a part of competence.
- 4.** Educate on well-being/mental health/substance use disorders.
- 5.** Make health and well-being a top priority throughout the profession.
- 6.** Banding together and allowing ourselves to be a bit more human during this time. It will not only help individuals in the short term, it also will benefit firms/organizations in the long run.

A large, irregular pink brushstroke shape that serves as a background for the text. The stroke is thick and has a textured, hand-painted appearance with some darker and lighter shades of pink.

*The way to get started
is to quit talking and
begin doing.*

Walt Disney

Thank you

Thank you all for attending today's Continuing Legal Education program.

If you have any questions that were not answered or would like to contact me for any reason, please call or email me **confidentially** at the following:

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