

Vicarious Trauma in the Workplace: The Importance of Self-Care in --- Legal Advocacy

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Learning Objectives

- ✓ What is vicarious trauma?
- ✓ What is the impact?
- ✓ Strategies for preventing and addressing
- ✓ Resources





You cannot *drink*
from an empty cup.

FILL YOURSELF UP. YOU'RE WORTH IT.

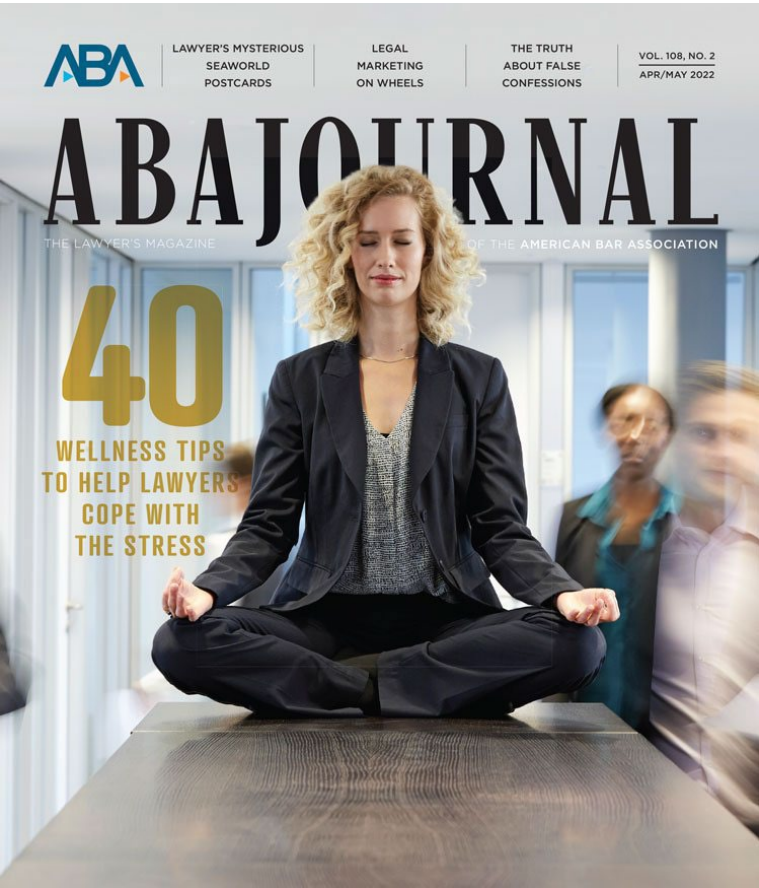


Poll #1

In the past 6 months have you struggled with any well being issues as a lawyer, advocate, staff or service provider?



ABA Journal



VICARIOUS TRAUMA- Defined

- Behavioral and emotional response resulting from indirect exposure to trauma
- In DSM-5, criteria for PTSD can be met through indirect exposure to trauma in professional capacity
- Also know as Secondary Trauma or Compassion Fatigue
- Differs from burnout

VICARIOUS TRAUMA

- Zealous advocacy and ethical responsibility to the client, but often forget self-care
- Direct exposure to trauma
- Can result from any aspect of attorney's job that involve indirect exposure to trauma
 - Listening to trauma stories
 - Preparing cases and reading about trauma
 - Hearing testimony and other evidence in court



VICARIOUS TRAUMA

- Working with clients who are struggling with difficult issues impacts us
- Emotional distress is expected and understandable
- Lawyers, Advocates and staff work on hard cases



ABA Lawyer and Stress Research

Survey of 2,863 lawyers compiled during the pandemic

Thoughts about leaving profession due to mental health concerns

25% women

17% men

Anker J, Krill PR. Stress, Drink, Leave: An examination of gender-specific risk factors for mental health problems and attrition among licensed attorneys. PLoS One. 2021 May 12;16(5):e0250563. doi: 10.1371/journal.pone.0250563. PMID: 33979350; PMCID: PMC8116044

ABA Lawyer and Stress Research

Screened positive for risky drinking

55.9% women

34% hazardous drinking

Drinking increased during the pandemic

34.6% women

29.2% men

Anker J, Krill PR. Stress, Drink, Leave: An examination of gender-specific risk factors for mental health problems and attrition among licensed attorneys. PLoS One. 2021 May 12;16(5):e0250563. doi: 10.1371/journal.pone.0250563. PMID: 33979350; PMCID: PMC8116044

ABA Lawyer and Stress Research

ABA Profile of the Legal Profession 2021

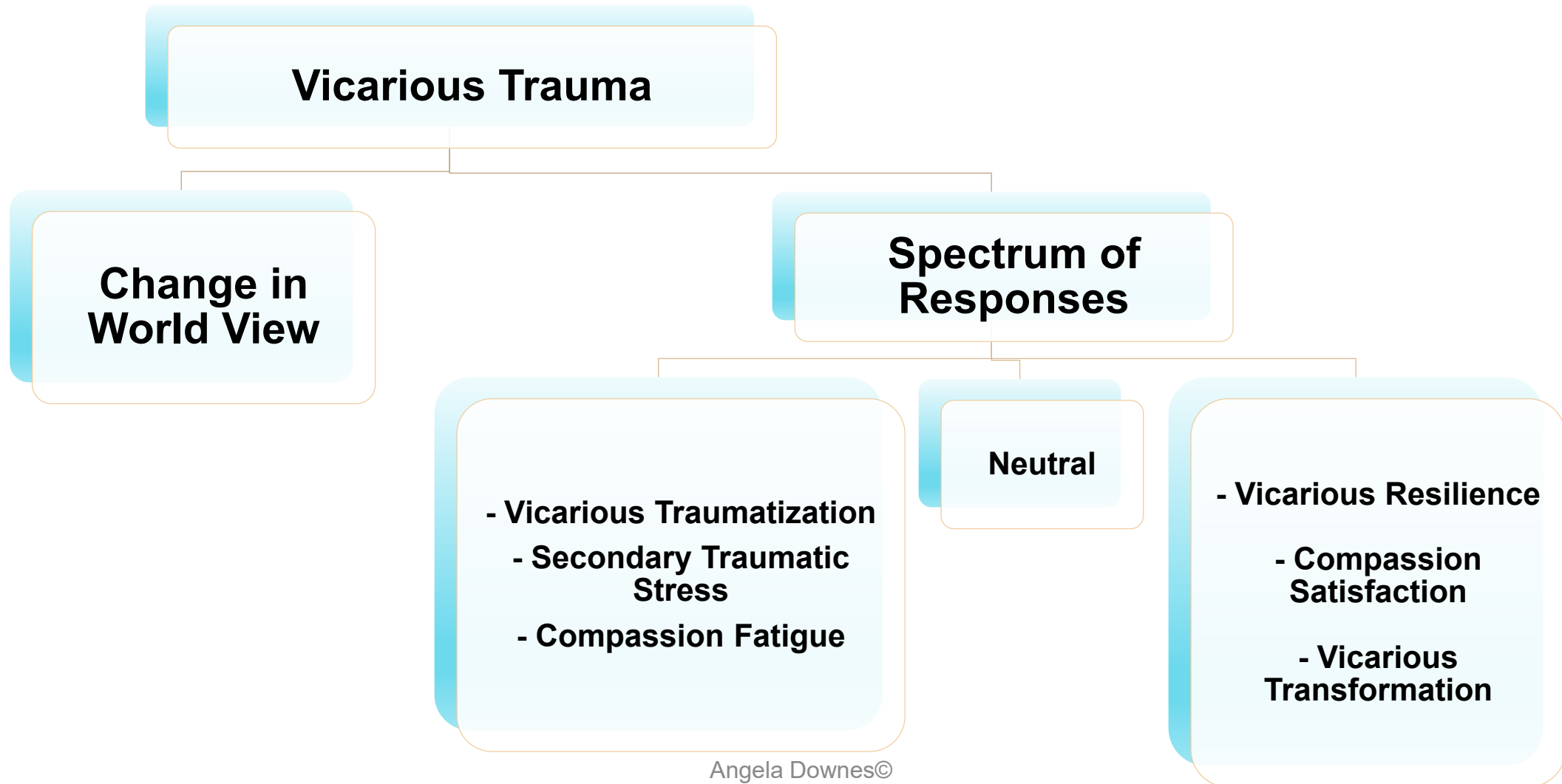
- Covid-19 Pandemic related concerns
- Working more than 40 hours a week
- Technology
- Separating home and work
- Law school debt
- Return to in-person work

<https://www.americanbar.org/content/dam/aba/administrative/news/2021/0721/polp.pdf>

Vicarious Trauma

- 34% of **victim service providers** met PTSD diagnostic criteria from secondary exposure to trauma. (Bride, 2007)
- 50% of **child protection staff** in CO experienced high or very high levels of compassion fatigue. (Conrad & Kellar-Guenther, 2006)
- 98% of **police officers** experienced ≥ 1 type of critical incident. (Weiss et al, 2010)
- **Sexual Assault Nurse Examiners** at greater risk for VT than other Women's Health nurses (Raunick, et al, 2015)
- Early study found **lawyers** at top of list of 104 occupations for suffering highest rate of depression & higher suicide and substance abuse rates. (Johns Hopkins, 1990)
- Early study of vicarious trauma in **judges** found that 63% reported 1 or more symptoms. (Jaffe, Crooks, Dunford-Jackson, & Town, 2003)
- **Exposure to multiple traumatic events has a cumulative impact on the severity of negative responses.** (Brunet & Best, 2010 – *LE*; Follette, Polusny, Harvey, 2015 – *fire*; Donnelly 2012 – *EMS*)

Comprehensive View of Vicarious Trauma



SYMPTOMS of VICARIOUS TRAUMA



VICARIOUS TRAUMA SYMPTOMS

Avoidance

- Avoiding certain clients, not returning phone calls
- Avoiding certain questions in interview with clients
- Lateness to work, missing meeting, calling in sick

Decreased empathy to clients

Hypervigilance

- Feeling on edge
- Intense focus or worry about safety or welfare of clients
- Easily started or upset



VICARIOUS TRAUMA SYMPTOMS

- Irritability
- More easily agitated, argumentative or impatient with co-workers, supervisors, judges, clients
- Difficulty concentrating, focusing, remembering things
- Impact on client advocacy
- Feeling hopeless about the work
- Trouble remembering the purpose
- Dreading work



ADDRESSING VICARIOUS TRAUMA

- Pain and emotional distress are often outcomes of this type of work
- Do you and your firm / organizations have a plan
- It is o.k. to ask for help- you are not alone



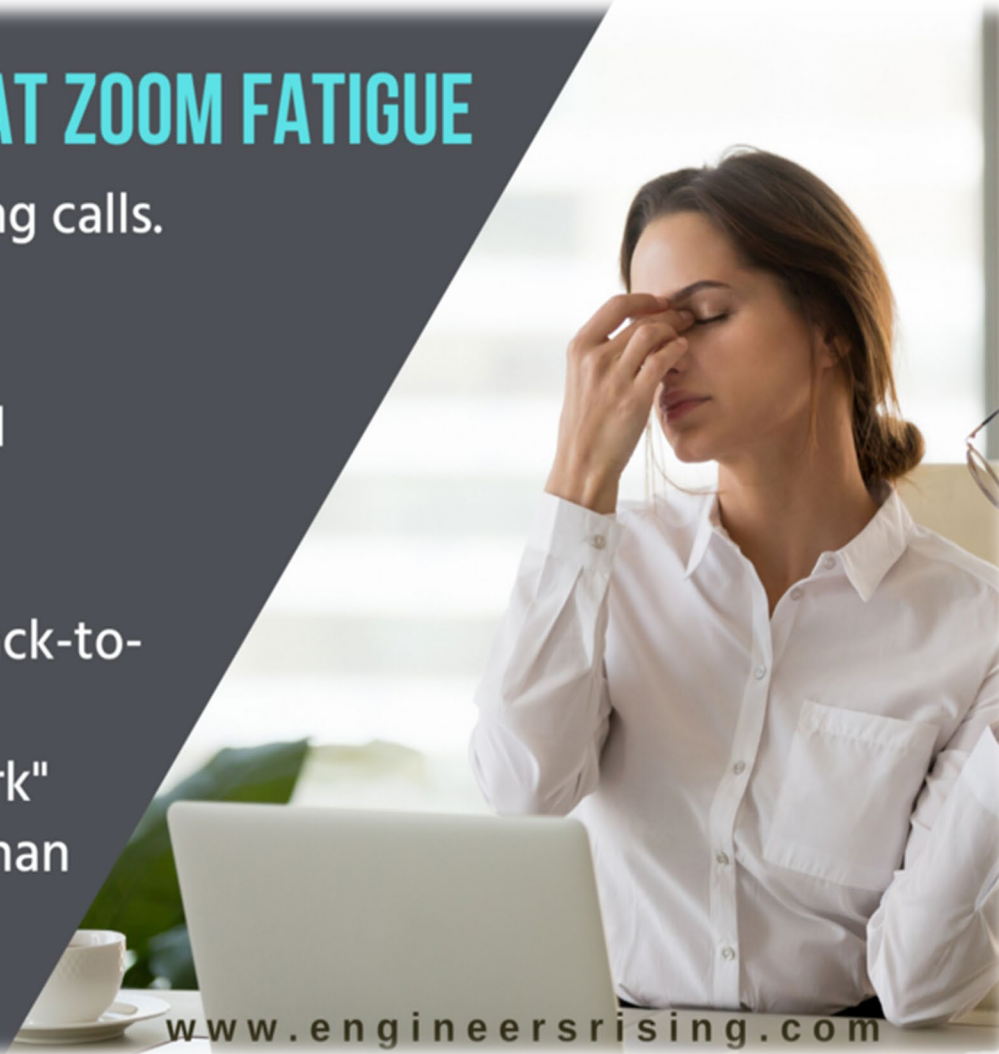
IMPACT OF COVID-19

- Integration and going back to in-person meetings and court
- Other emerging health issues
- Increase in the demand for legal services



7 WAYS TO COMBAT ZOOM FATIGUE

1. Don't multitask during calls.
2. Use speaker view.
3. Turn your video off.
4. Try a conference call instead.
5. Take breaks.
6. Avoid scheduling back-to-back meetings.
7. Make sure your "work" space feels different than your "relaxing" space.



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STRATEGIES

- Regular vacations –work and computer-free!
- Staycation
- Exercise, healthy eating and sleep
- Taking breaks throughout the day
- Setting clear work boundaries
- Activities and hobbies outside off work
- Connecting with friends, family and community



STRATEGIES

- Reflections / journaling
- Talk about it to friends, family, supervisors and other colleagues who understand
- Seek counseling-ideal therapist who treats those with trauma



STRATEGIES

- Mindfulness practice
- Meditation
- Yoga practice
- Humor or laughter



SUPPORTING A COLLEAGUE

- It takes a village
- Be alert for signs and symptoms (often subtle)
- Think about how you want to be supported
- Talk to a supervisor



The Importance of Sleep

- Adults should get at least seven hours of sleep at night (Academy of Sleep Medicine)
- Healthy sleep is important for cognitive functioning, mood, mental health and cardiovascular, cerebrovascular and metabolic health *Simple Step: Want to be a Better Lawyer? Get More Sleep*, Allison C. Johs,
https://www.americanbar.org/groups/law_practice/publications/law_practice_magazine/2022/july-august/simple-steps-be-a-better-lawyer-get-more-sleep/
- Legal profession is the among the most sleep-deprived in the U.S. Lawyers are the second most sleep deprived. Doctors get more rest. (Centers for Disease Control & Prevention's National Health Survey)



Our Epidemic of Loneliness and Isolation



2023

The U.S. Surgeon General's Advisory on the
Healing Effects of Social Connection and Community



<https://www.hhs.gov/sites/default/files/surgeon-general-social-connection-advisory.pdf?emci=2ba763e6-43eb-ed11-8e8b-00224832eb73&emdi=bc0fce18-5feb-ed11-8e8b-00224832eb73&ceid=5823>



Working Mom Lawyers

- Pandemic parenting: women have taken on the lion's share of parenting even with both parents home (Bearing the Brut: How Pandemic Practice Left Lawyer Moms on the verge, Liane Jackson, 2021)
- Online survey 2,000 parents 90% of mothers said they were tired, compared to 30% of dads (Indiana University, Prof. Jessica Calarco 2021)
- “Unentitlement”: almost subconsciously, women fall into traditional gender roles and fail to put their needs, comforts or ambitions first, believing they should do most of the work simply by being female (University of California at Berkeley, Phil & Carolyn Cowano 2021)
- Professional mothers are 1.5 times more likely than fathers to spend at least three hours each day on housework (McKinsey & Co., Women in the Workplace Report, 2020)



Resources

- ABA Commission on Legal Assistance Program
- Directory of Lawyer Assistance Programs

https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state/

- State Bar Associations
- City / County Bar Associations



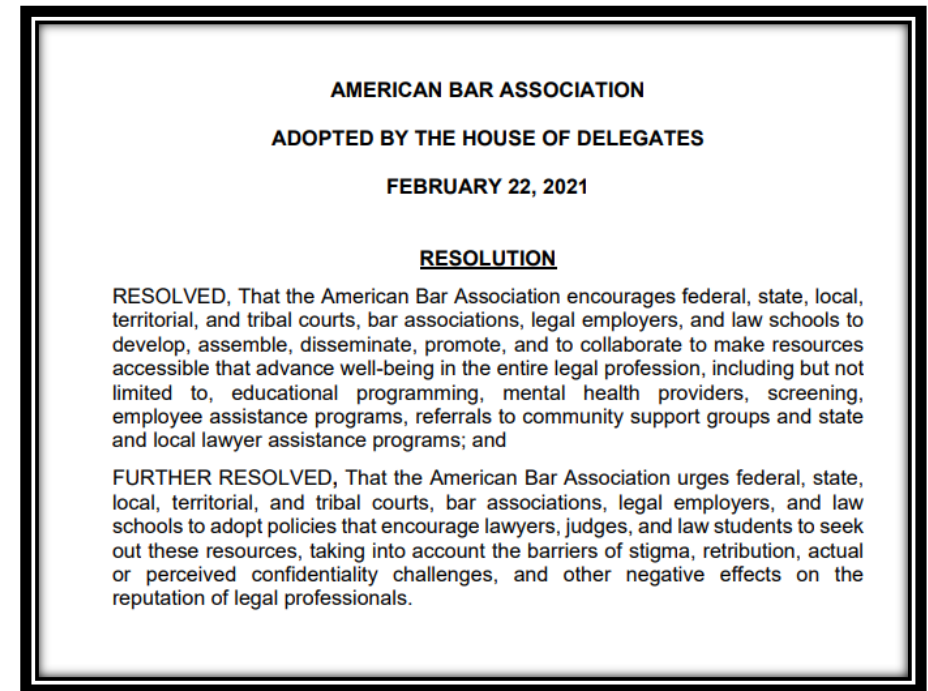
Resources

ABA well-being pledge campaign, calling for employers to recognize substance use and mental health distress present significant challenges for the legal profession.

https://www.americanbar.org/groups/lawyer_assistance/well-being-in-the-legal-profession/

ABA House of Delegates in 2021 approved a resolution to encourage courts, bar associations, legal employers and law schools to develop and make accessible resources that advance well-being in the legal profession.

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Well-Being Toolkit for Lawyers

Healthy Workplace Dynamics



Well-Being Toolkit for Lawyers and Legal Employers, created By Anne M. Brafford
https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.pdf

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<https://www.tlaphelps.org>

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TEXAS LAWYERS'
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SUICIDE PREVENTION

NEW: FREE 1-HOUR CLE ON DEPRESSION AND SUICIDE PREVENTION



CALL OR TEXT 1-800-343-TLAP (8527).
GET HELP WITH SUBSTANCE USE AND
OTHER MENTAL HEALTH ISSUES.

SHOULD I GET HELP?

TLAP SUPPORT TOOLBOX

[HOME](#)

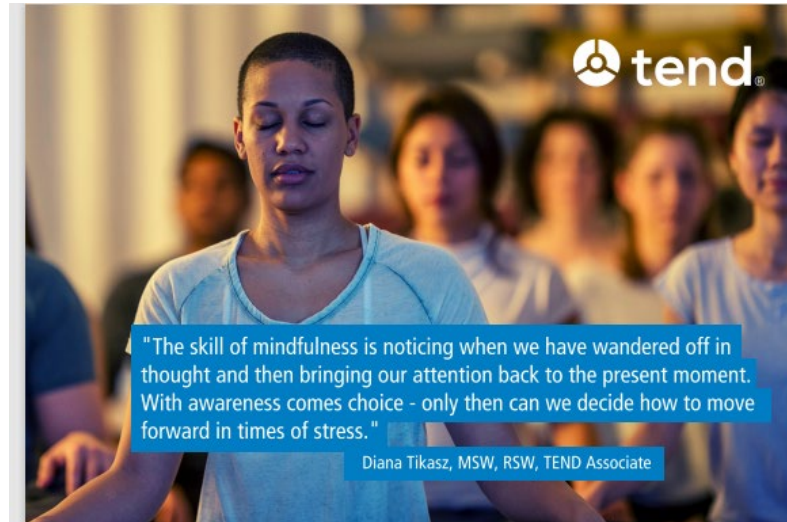
[WHAT WE HELP WITH](#)


[WHO WE HELP](#)




[WELLNESS QUICK CLIPS](#)

[SUCCESS STORIES](#)

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THREE MINUTE BREATHING SPACE 
Developed by Diana Tikasz, MSW, RSW

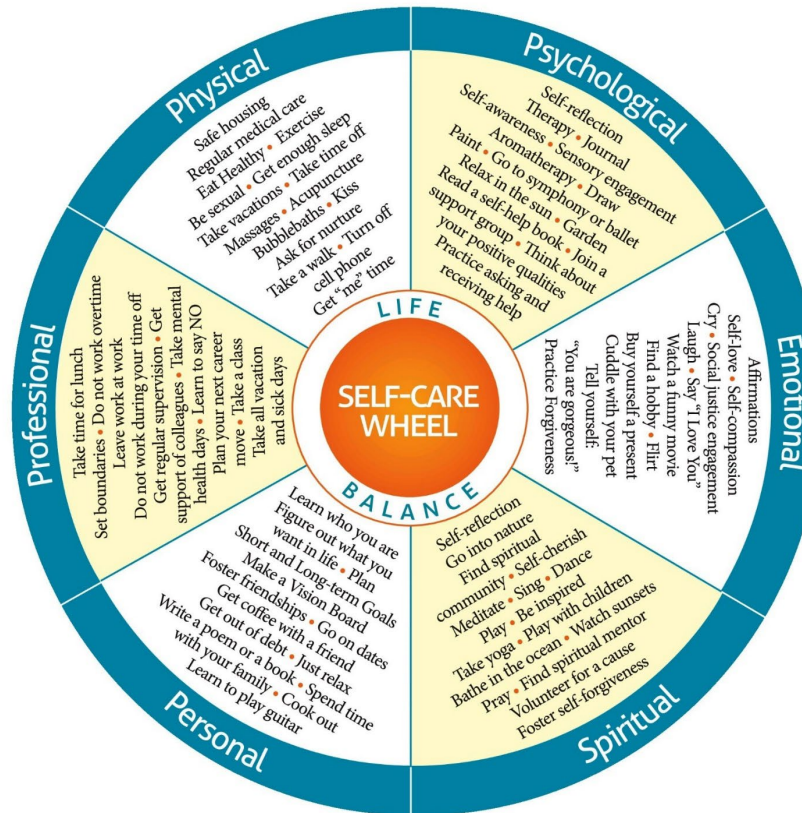
FIRST MINUTE	SECOND MINUTE	THIRD MINUTE
		
NOTICE ANY SOUNDS YOU HEAR What sounds are near or far? Notice how the sounds arise and disappear Every time that you notice your thoughts wander, simply and without judgement, return to the sounds	NOTICE ANY BODY SENSATIONS What parts of your body are warm or cold? Notice the sensations of contact with the chair or with your clothing Whatever you notice is perfectly fine and does not need to be changed in anyway. Just notice.	NOTICE YOUR BREATH Where do you notice your breath- is it at the nostrils, the chest, the belly? Notice the expansion and the settling of the body as you breathe Can you follow the full inhale and exhale of breath?

For more information and other downloadable resources, go to www.TENDacademy.ca/resources

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SELF-CARE WHEEL



This Self-Care Wheel was inspired by and adapted from "Self-Care Assessment Worksheet" from *Transforming the Pain: A Workbook on Vicarious Traumatization* by Saakvitne, Pearlman & Staff of TSI/CAAP (Norton, 1996). Created by Olga Phoenix Project: Healing for Social Change (2013). Dedicated to all trauma professionals worldwide.

www.OlgaPhoenix.com

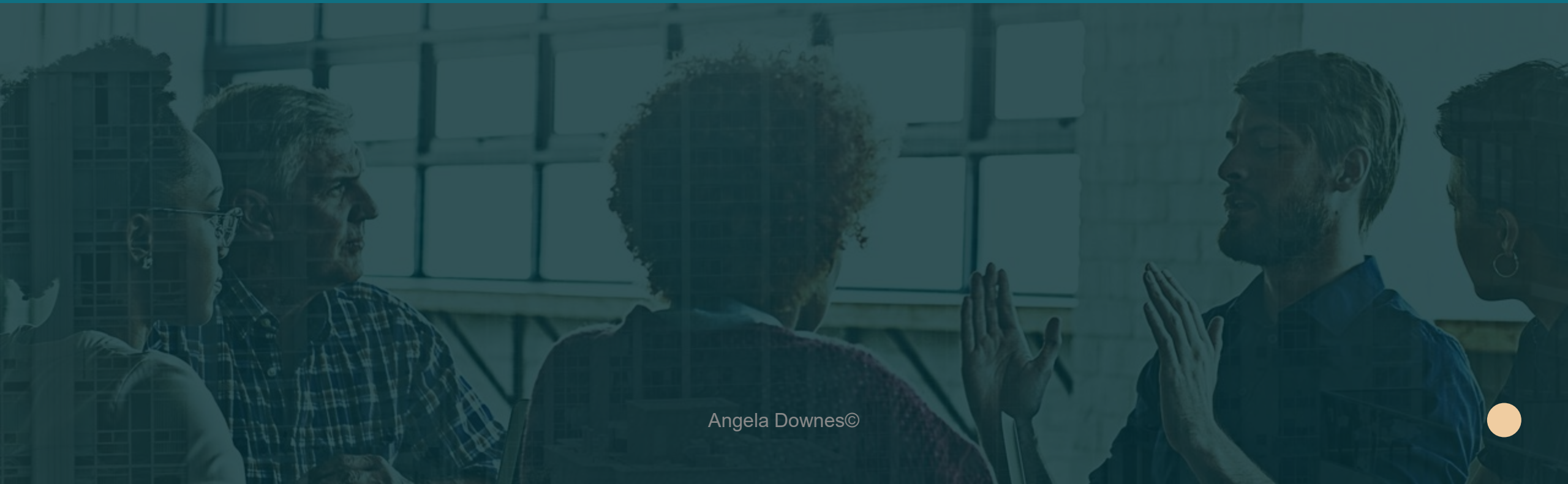
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Poll #2

- Name one thing you plan to do that may decrease vicarious trauma?



Questions



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THANK YOU!



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