



SECONDARY TRAUMA IN LEGAL PRACTICE

SARAH MACGILLIS
OUTREACH DIRECTOR
LAWYERS CONCERNED FOR LAWYERS

Agenda

- What is trauma?
- What is secondary trauma?
- What are some of the potential problems that can arise with secondary trauma?
- How do we put ourselves in the position to be able to hear people's stories and stay healthy?





TRAUMA

Trauma is the unique individual experience of an event, series of events, or set of circumstances where:

The individual's ability to integrate their emotional experience is **overwhelmed**; and

The experience is **physically or emotionally harmful** or threatening and has **lasting effects** on the individual's functioning and physical, social, emotional, or spiritual well-being

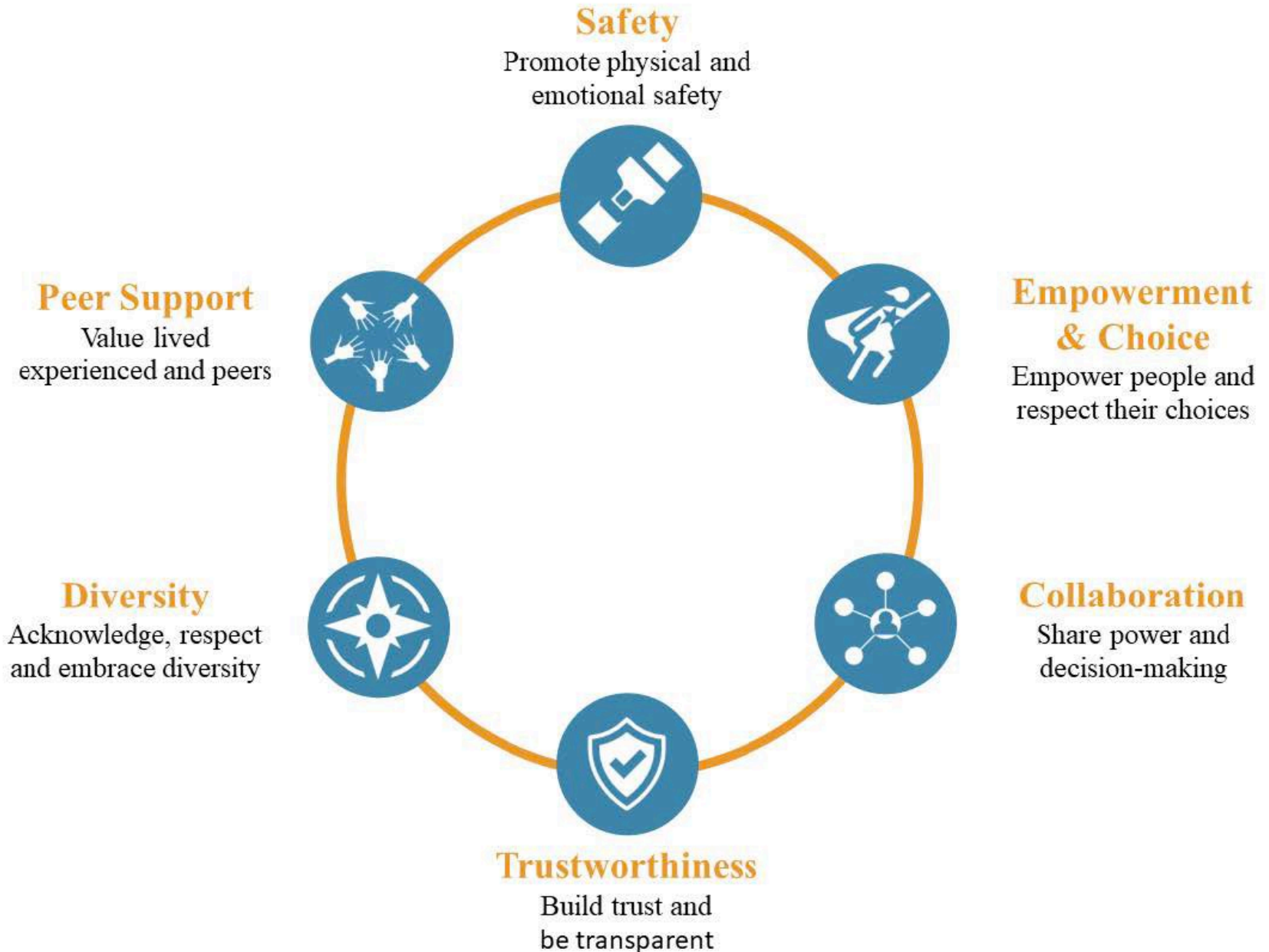
Direct, secondary and vicarious

PREVALENCE OF PTSD ACROSS DEMOGRAPHICS

- ❖ Rates of PTSD in the US range from 3-17%
- ❖ Notable gender difference: 8% women, 4% men, upwards of 30-50% in the transgender community
- ❖ Higher likelihood of exposure and greater range of types of trauma for Black and Latino Americans
- ❖ Native Americans highest rate amongst ethnic groups
- ❖ Immigrant and refugee communities upwards of 40%

*Caveats: sampling, cultural representations of mental health, social stigma leading to underreporting

SIX PRINCIPLES OF TRAUMA-INFORMED CARE





SECONDARY AND VICARIOUS TRAUMA

We are exposed to trauma through our client's stories.



**WHAT IS SECONDARY AND
VICARIOUS TRAUMA? (ABA
ARTICLE ON LAWYER TRAUMA)**

It is caused by being exposed to someone else's trauma.

Does not have to be direct personal contact.

You can be exposed through recording, photos, reports, depositions.

You can be exposed by sitting in court and listening to testimony about or from the traumatized victim.

The more you interact with the traumatized individual or matter, the more significant the secondary trauma can be.

“The expectation that we can be immersed in suffering and loss daily and not be touched by it is as unrealistic as expecting to be able to walk through water without getting wet.” Dr. Rachel Naomi Reman

IMPACT OF STS AT WORK

- avoidance
- hypervigilance
- seeing things as “black or white.” Ambiguity is difficult to tolerate,
- becoming uncharacteristically combative, defensive, or argumentative, and
- shutting down or numbing out
- Appearing apathetic at work.

IMPACT OF STS AT WORK

- Misplaced irritation
- Physical signs
- Sleep disturbances
- Overconsumption (food, alcohol, electronics)

AT RISK
PERSONAL
FACTORS

- Personal History of Trauma
- Personality and temperament
- Personal values conflict
- Sense of control
- Pattern of Self-care

AT RISK PROFESSIONAL FACTORS

- Work overload
- Trauma cases
- Lack of Autonomy
- Adversarial System
- Work environment



OTHER WELLNESS CHALLENGES

Risks of unaddressed secondary trauma.

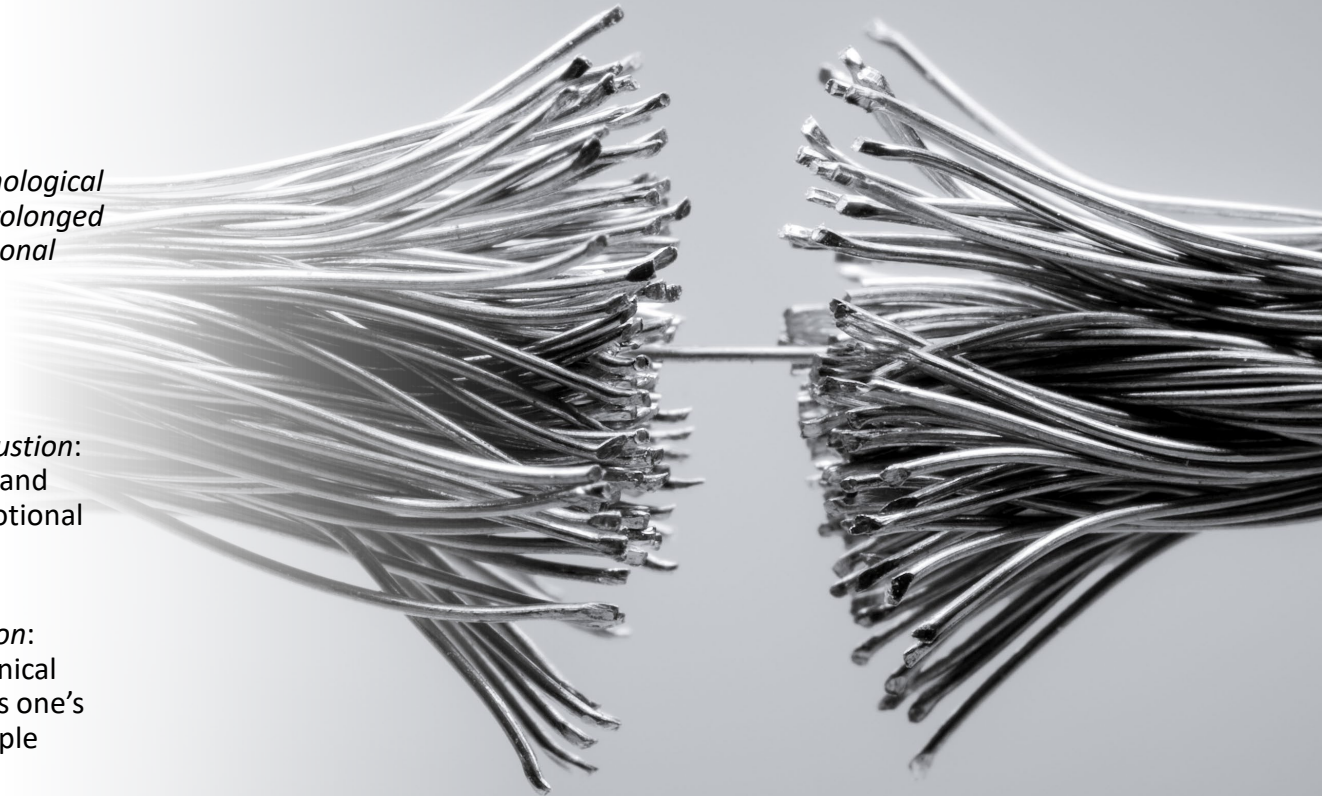
Collective Grief

- Loss shared by a larger community as a result of an event/events.
- Grief can be compounded as lawyers by role expectations
- Collective grief can manifest in many ways. Our body tells us sometimes before my mind acknowledges it.

*Collective Grief
Hitting on Your Heart?*

What is Burnout and what does it look like?

- Burnout is defined as *a psychological syndrome that arises from prolonged exposure to chronic interpersonal stressors on the job.*
 - Three main characteristics/signs
 - *Emotional Exhaustion:* Feeling drained and depleted of emotional resources.
 - *Depersonalization:* Developing a cynical attitude towards one's job and the people involved.
 - *Reduced Personal Accomplishment:* Feeling ineffective and lacking a sense of achievement in one's work.

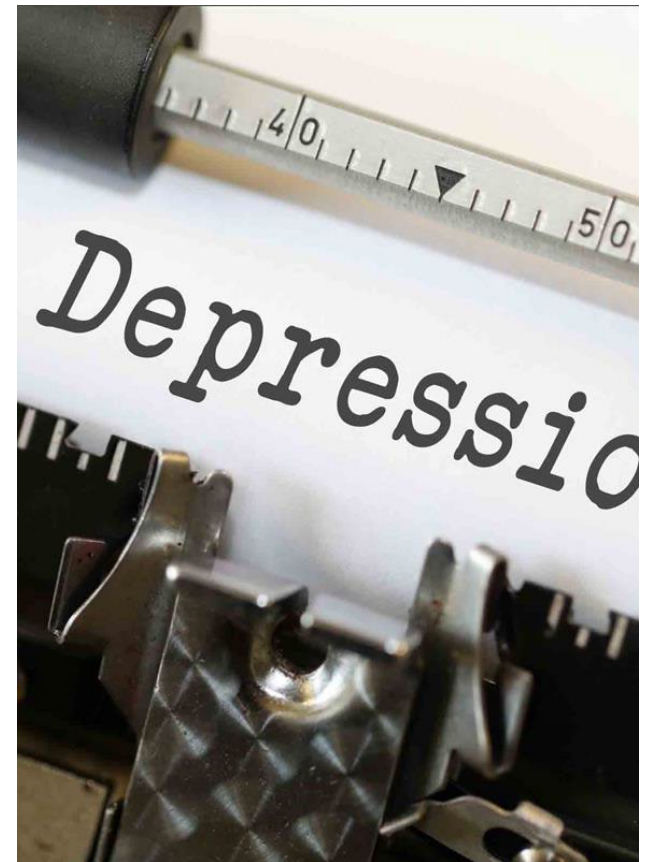


DEPRESSION

- The numbers consistently show that lawyers suffer from depression at a rate approximately **3.6 x** that of the general population.
- According to an oft-cited Johns Hopkins University study of more than 100 occupations, researchers found that lawyers **lead the nation** with the highest incidence of depression.
- The most recent studies suggest that rate is **28%** of practicing lawyers.
- **11.5%** of lawyers have contemplated suicide during the course of their careers.

HOW DOES DEPRESSION LOOK?

- A loss of interest in normally pleasurable activities
- Impaired ability to concentrate, remember and decide
- Irritability
- Tiredness, exhaustion
- It occurs in stages:
 - Emptiness
 - Hopelessness/helplessness
 - Malaise
 - Suicidal Ideation
- Do not be afraid to *reach out*. **You cannot go wrong by expressing a caring attitude toward someone who's depressed.**

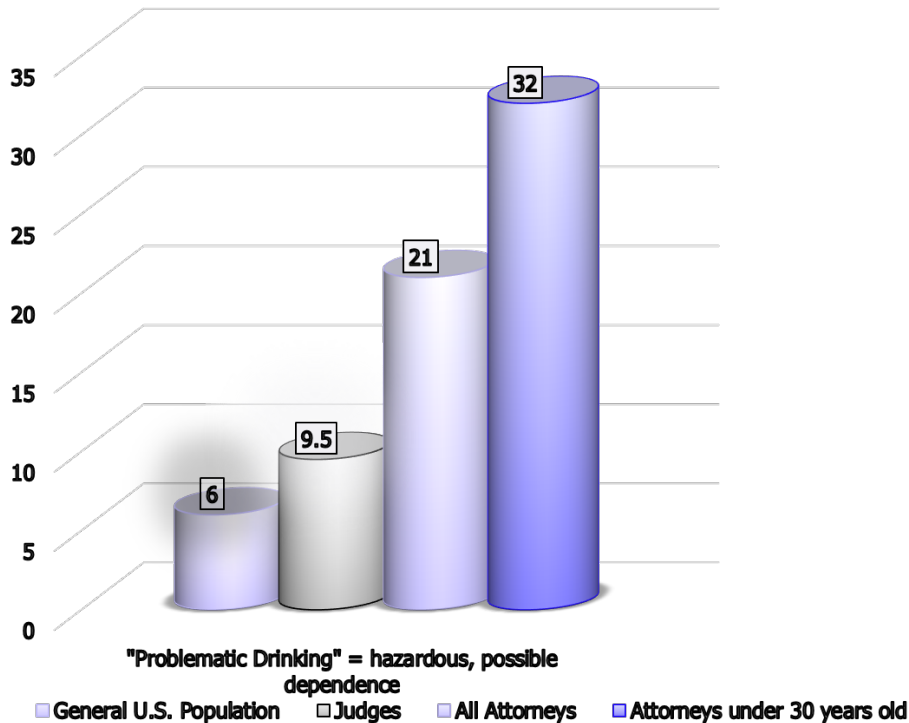


ANXIETY

- A 2016 study conducted jointly by the ABA Commission on Lawyers Assistance Programs and Hazelden Betty Ford Foundation found that of the nearly 15,000 lawyers surveyed a whopping **19%** reported having severe anxiety symptoms.
- Feelings of dread/negative anticipation
- Excessive worry
- Panic attacks
- GI upset
- Sleep difficulties
- Impatience, testiness



Alcohol Use Disorder



- a primary, chronic disease with genetic, psychosocial, and environmental factors influencing its development and manifestations. The disease is (often) progressive and fatal.
- It is characterized by continuous or periodic: impaired control over drinking, preoccupation with the drug alcohol, use of alcohol despite adverse consequences, and distortions in thinking, most notably denial

What to do at work

- Educate support staff
- Provide non-threatening reporting options
- Give family members a contact
- Distribute LCL materials
- Make substance use and mental health a part of yearly inservices
- Contact LCL for coaching



Employer Efforts in Harm Reduction

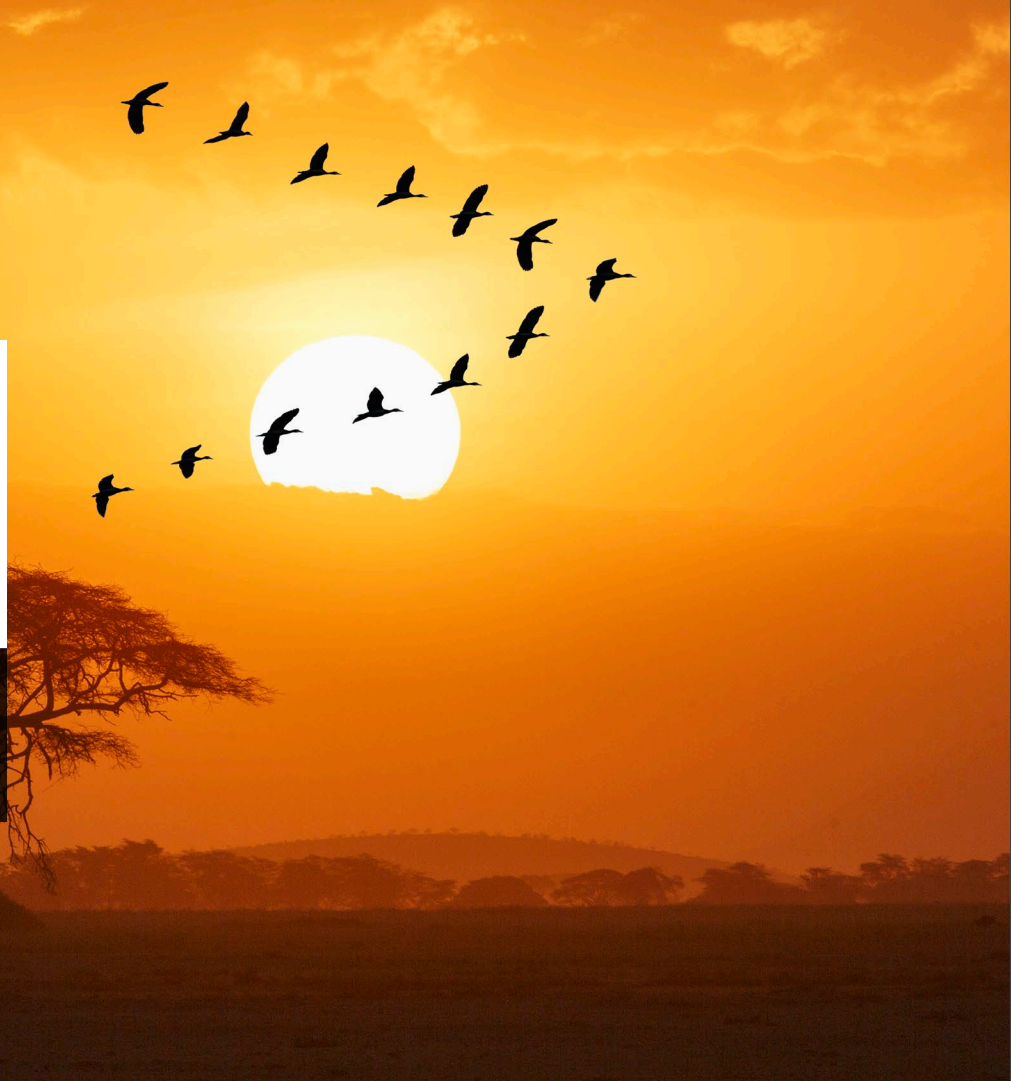
Employer practices to minimize the effect of trauma



- 1. Educate all legal staff about the impact of secondary trauma.
- Be mindful of distribution of trauma-laden cases.
- 2. Set aside specific regular debriefing time for legal staff.
- 3. Keep and model strong work-home boundaries.
- 4. Maintain vacation policies that allow legal staff to completely disconnect.
- 5. Measure policies by outcomes—does this structure reduce harm or perpetuate harm?

Resiliency

A practice-based approach



RESILIENCY

Piggy bank analogy



- Resiliency refers to our ability to bounce back following adversity.
- It also refers to our ability to withstand the storm when we're in the middle of it.
- Directly relates to our emotional reserves.

MAKING SPACE FOR BETTER EMOTIONAL RESPONSES

Personal and Professional Boundaries



- **It's 100% ok to say “no” in order to say yes” to something that feeds your soul.**
- **Protects Your Energy:** It helps you avoid feeling overwhelmed or spread too thin.
- **Enhances Well-being:** By not overcommitting, you reduce stress and potential resentment.
- **Builds Respect:** Others will recognize and appreciate your honesty and boundaries.



Personal Resilience

Strategies to strengthen your capacity

- Driven by you as an individual
- Improving your “reserves”

BACK TO BASICS



NUTRITION



SLEEP



EXERCISE

SELF- COMPASSION

Self Compassion: (Dr. Kristin Neff, et. al)

1. **Self-kindness:** Treat ourselves like a trusted friend. Ask, “what do I need to hear right now?”
2. **Common humanity:** reminds us that we all have suffered disappointment and failure. No one is exempt. Remember you are having a common human experience. This allows us to have multiple opportunities for connection to others along this journey.
3. **Mindfulness.** Mindfulness starts with noticing that we’re having a difficult experience and turning toward it without getting carried away with it. Turn toward it with curiosity, not judgment. Describe the emotion as you feel it. Recognize that you are not alone. Can put your hand on your heart or clasp your hands together

Myths	What the research ¹ suggests:
Self-compassion is a form of self-pity.	Self-compassionate people tend to brood less about their misfortune. ²
Self-compassion means weakness.	"Self-compassion is one of the most powerful sources of coping and resilience available to us. When we go through major life crises, self-compassion appears to make all the difference in our ability to survive and even thrive." ¹
Self-compassion will make me complacent.	Self-compassion strengthens personal accountability. ³
Self-compassion is narcissistic.	"Self-compassionate people are better able to remain emotionally stable, regardless of the degree of praise they receive from others." ⁴
Self-compassion is selfish.	"Self-compassion helps people sustain the act of caring for others." ¹



MINDFULNESS

- Become present in the moment
- 100% portable
- 60 seconds can help
- Breath can be a focus
- Yoga and meditation are examples
- Gratitude Practice

CONNECT!

Positive social relationships are key to resilience

The reason may be that good social relationships seem to help us tamp down stress reactions, *even when we just recall those relationships.*

Small steps matter. (Call, text, email)

We know connection is adaptive.

Consider a variety of different connections.

Connect even when you don't feel like it....especially if you don't feel like it.



Become a Noticer*

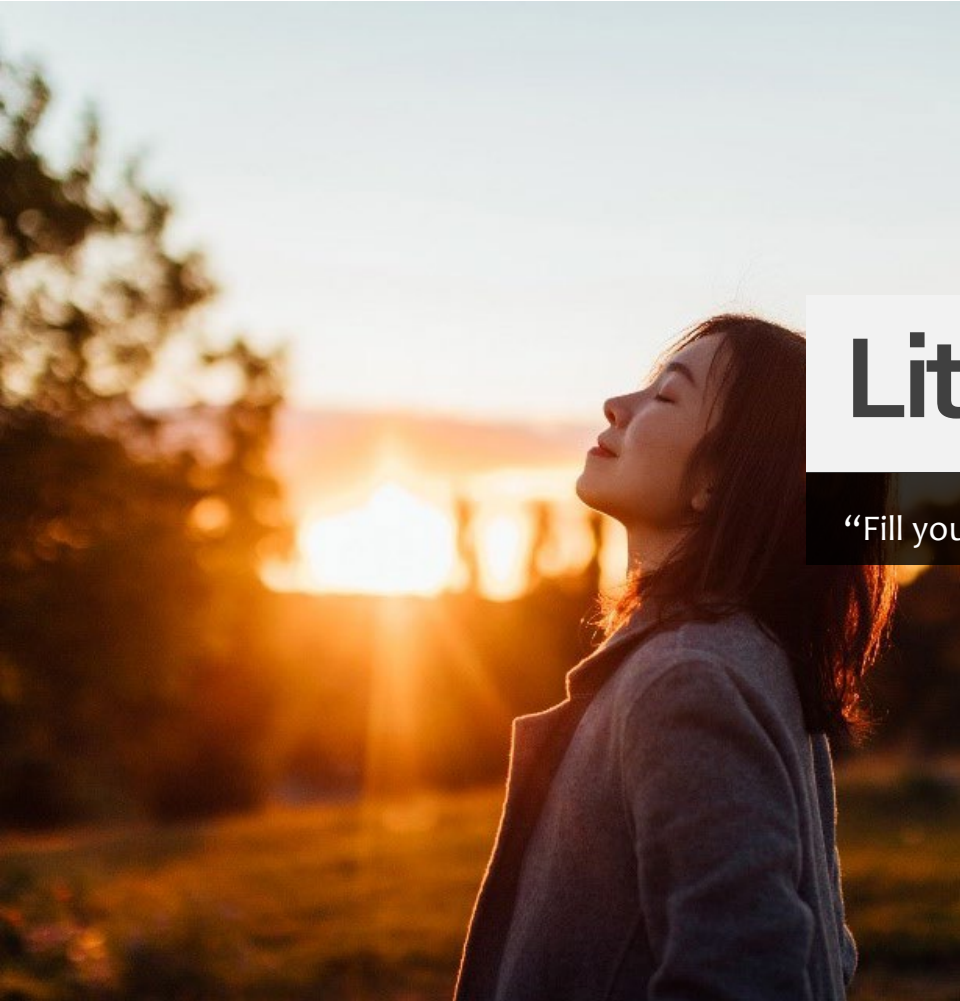
Your story.....

Celebrating the victories....



All the victories....

- Focus on small, observable steps.
- By paying attention to our small victories and how we feel in results, we are sending ourselves a powerful message of their importance.
- It *will* take extra effort, but that extra effort pays off over time.
- That feeling will build your self-esteem and encourage you to repeat the process.
- You will train yourself, over time, to have a habit of noticing your wins.
- The effect will be cumulative. (Harvard Business Rev.)



Little by little....

“Fill yourself with good....”

*“Think not lightly of good, saying, ‘It will not come to me.’
Drop by drop is the water pot filled.
Likewise, the wise one, gathering it little by little,
fills oneself with good.”*

*Dhammapada 9.122 (Buddhist scripture)(quoted
by Dr. Richard Hanson)*



LAWYERS CONCERNED FOR LAWYERS

Confidential Support for Legal Professionals

Jon, Chase, Patty, Annette and I are in your corner. If you personally need help, or you know someone who does, ---your colleague, one of your staff members, your child---reach out. ALL Communications are completely **confidential. We can help.**



LAWYERS CONCERNED FOR LAWYERS

Services

24-hour hotline

Assessments

Coaching

Free short-term counseling

Referrals

Well-being Resources

Case management services

Peer support



LAWYERS CONCERNED FOR LAWYERS

Confidential Support for Legal Professionals

We Partner with AllOne Health

Up to 4 free counseling sessions per issue
Resource website

www.allonehealth.com

Click on *Member Portal* to access services including on-line support request
Create an account to access resources.

When creating your new account, use the Company Code “lawyers”

Contact AllOne Health directly at **651-430-3383** or toll-free: **1-888-243-5744**



**LAWYERS CONCERNED
FOR LAWYERS**
2250 University Avenue
West, # 313N
St. Paul, MN 55114

(651) 646-5590
**Toll Free: (866) 525-
6466**

Website: www.mnlcl.org
E-mail help@mnlcl.org



Thank You

Sarah MacGillis

(651) 646-5590

smacgillis@mncl.org

Mncl.org

