



**UNDERSTANDING AND MANAGING SECONDARY TRAUMA
IN LEGAL PRACTICE**

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Secondary Trauma and Resilience

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





SECONDARY AND VICARIOUS TRAUMA

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





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



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

YOUR WINDOW OF TOLERANCE



HYPERAROUSAL

FIGHT OR FLIGHT

High energy, anger, panic, irritability, anxiety, hypervigilance, overwhelmed, chaos, fight-or-flight instincts, and startle response

GROUND YOURSELF

Try box breathing, progressive relaxation

YOUR WINDOW

Sense of groundedness, flexibility, openness, curiosity, presence, an ability to be emotionally regulated, and a capacity to tolerate life's stressors

ACTIVATE

Your body,
Your senses

HYPOAROUSAL

FREEZE

Shutting down, numbness, depressiveness, withdrawal, shame, flat affect
Feeling of disconnection



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Your window of tolerance and why it matters

Signs 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.



SIGNS OF STS AT HOME

- 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

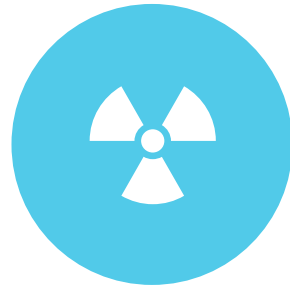
- Work overload
- Trauma cases
- Lack of Autonomy
- Adversarial System
- Work environment



Regulate Before You React



PAUSE BEFORE EMAILS OR
MEETINGS



GROUNDING AFTER
REVIEWING DIFFICULT
MATERIALS



PROTECT JUDGMENT AND
ETHICS



Mental Health Concerns

Difficulties that can accompany unaddressed secondary trauma



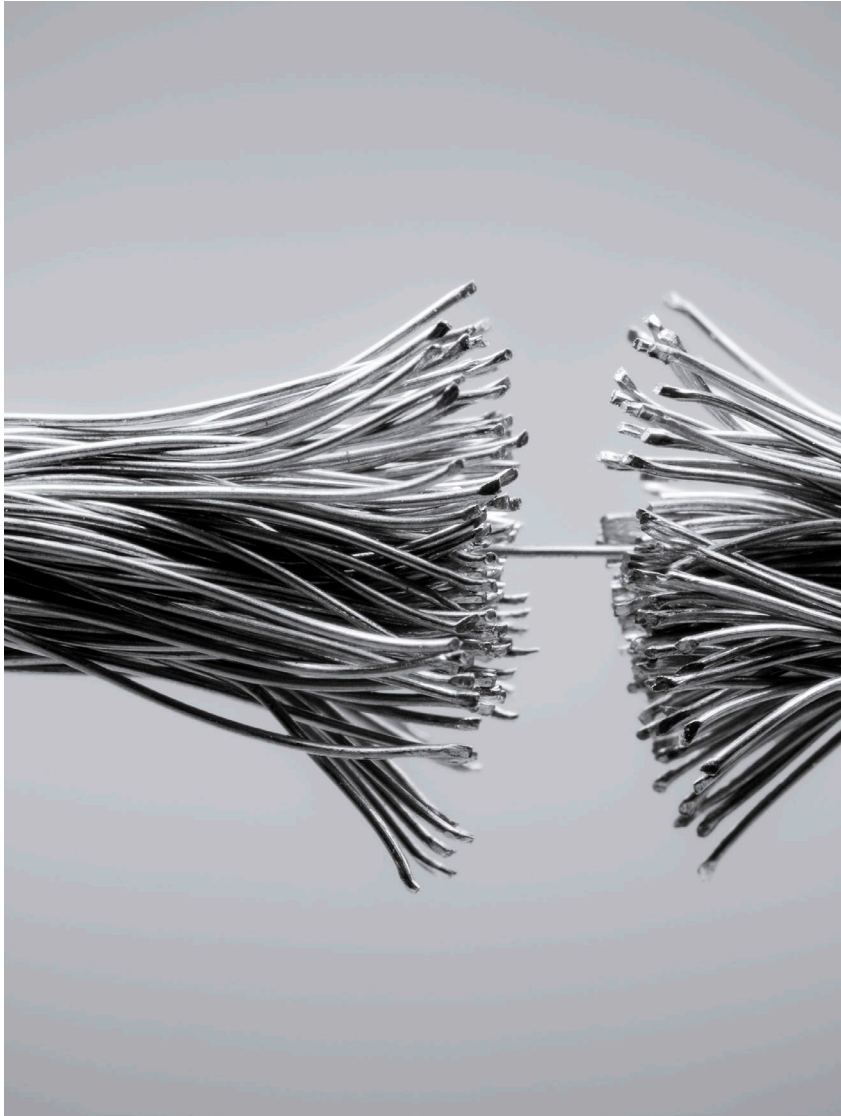
What is Empathy Distress Fatigue and what does it look like?

The cumulative physical, emotional and psychological effects of being continually exposed to traumatic stories and events while working in a helping capacity.

Exacerbated because we don't show weakness. Deny, defend and deflect vulnerability, while staying emotionally detached at all times.

- Comes from clients, not overall work conditions
- Exhaustion due to providing emotional support to others.





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.



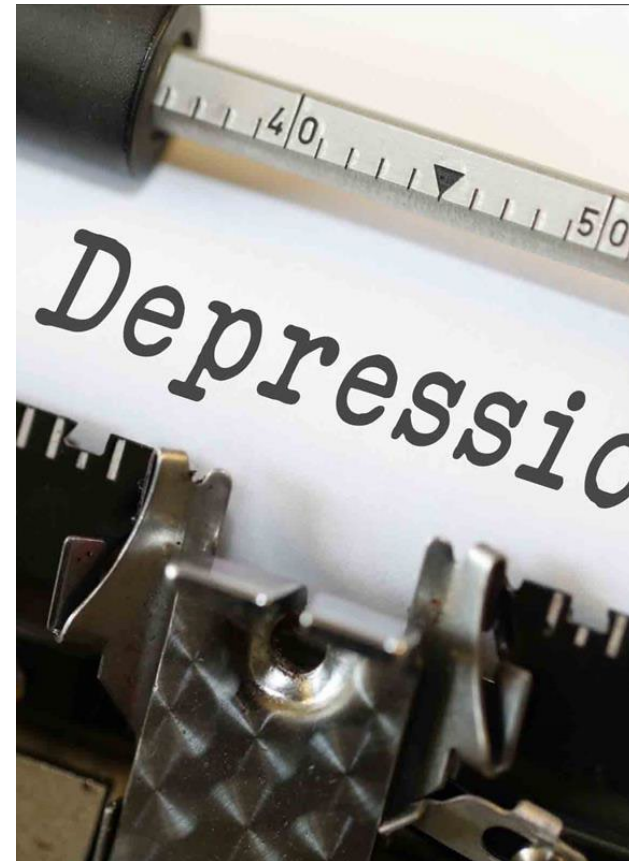
DEPRESSION

- 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.**



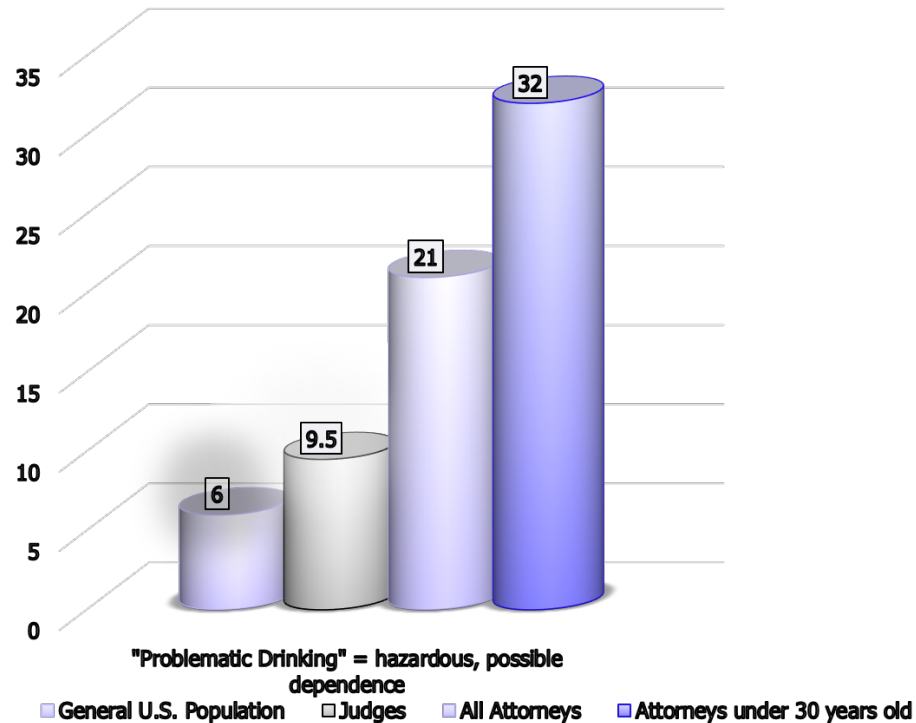
Anxiety

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



Signs of impairment at work

- Self-isolating
- Unexplained absences
- Defensiveness
- Lying
- Irregular workday
- Work quality is inconsistent



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



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



Resiliency

A practice-based approach

Resiliency

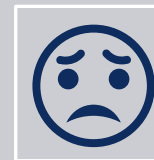
Piggy bank analogy



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.



Preserving our emotional reserves

Personal and Professional Boundaries



It's 100% ok to say "no"

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.





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 Exercise – Part 1

Imagine a colleague and dear friend comes to you visibly upset and says, “I feel terrible because I made a huge mistake on a file and ended up missing citing controlling authority in my summary judgment motion.”

- What would you say to them?
- What tone would you use?
- What would your body language look like?



Self-Compassion Exercise – Part 2

Same scenario, but YOU missed citing controlling authority:

What would you say to yourself?

- What tone would you use?
- What would your body language look like?



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





Cognitive Reframing

Adjusting our narrative to accurately reflect the situation.

- Check the facts.
- Ask evidence-based questions: what is my evidence this is true? What evidence undermines this assertion?
- Zoom out.



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....

.....
“Today, I will
celebrate
the small
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.

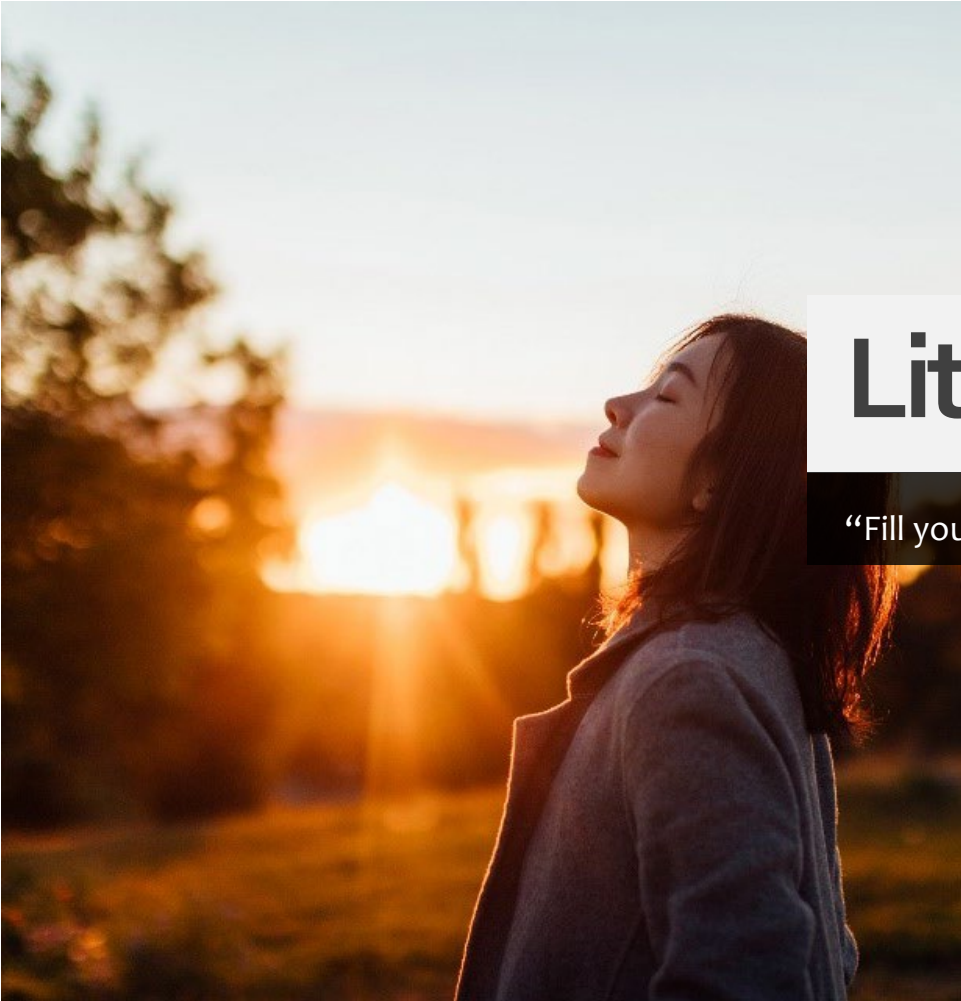
It *will* take extra effort, but that extra effort pays off over time.

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)*





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LCL is in your corner.

If you personally need help, or you know someone who does—
your peer, a colleague, your family member—reach out.

ALL services are completely **free** and **confidential**. We can help!

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Email: help@mnlcl.org / Website: www.mnlcl.org

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AREAS OF SUPPORT

- ❖ Stress
- ❖ Anxiety/Depression
- ❖ ADHD
- ❖ Alcohol/Substance Use
- ❖ Eating Disorders
- ❖ Grief
- ❖ Toxic Workplaces
- ❖ ***Any issue causing stress or distress***

SERVICES OFFERED

- ❖ 24-hour hotline
- ❖ Short-term counseling
- ❖ Peer support
- ❖ Group Support
- ❖ CLE Programming
- ❖ Coaching
- ❖ Intervention Support
- ❖ Well-being Resources

SUPPORT GROUPS

- ❖ Solo/Small Practice Connections Group
- ❖ ADHD Support Group
- ❖ Discipline and Practice Group
- ❖ Well-being Group
- ❖ Family Support Group
- ❖ LCL/MWL Parenting Group



Thank you!

[insert contact info for presenter]



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Questions?

Comments?

