Lawyers ASSISTANCE

By Dr. Angela White-Bazile, Esq. | THE WORKING WOUNDED

Many of us have or will experience an event considered traumatic at some time in our lives. A traumatic experience is personal and can affect us differently, *i.e.*, how we react or process the trauma. Trauma is very unpredictable, can happen at any age, and can affect us anytime, including after much time has passed since the event. You may not realize how you are affected by a traumatic event, especially when the response is to someone else's trauma.[1]

Trauma is defined as an emotional response to a shocking, terrible or dangerous event, such as a natural disaster; experiencing or witnessing an act of violence (assault, abuse, terrorist attack, mass shooting); car crash or other accident; or death of a loved one.[2] Individuals in certain professions are at a greater risk of experiencing secondary trauma — a stress response to another person's trauma. Secondary trauma is also referred to as vicarious trauma, indirect trauma or compassion fatigue and is common among social workers, doctors, nurses, first responders, mental health professionals, journalists and even lawyers who are indirectly exposed to the trauma and suffering of others.[3]

Judges, lawyers and legal professionals listen to clients' cases and review legal documents while sometimes experiencing a traumatic response to the clients' stories, perhaps even unknowingly. We dedicate ourselves to fighting for our clients or rendering fair and impartial judgments, but the impact on us mentally, emotionally and physically is rarely discussed. For this reason, judges, lawyers and legal professionals need to be able to cope with the effects of secondary trauma.[4]

Have you ever considered how your clients and cases affect you personally and professionally? If you have ever made the following statements, you may have been experiencing secondary trauma:

"I can't stop thinking about what I heard/saw."

"I shouldn't be bothered. It didn't happen to me."

"It could have been me or someone I loved."

"I don't know how much more of this I can take."

"I should be stronger than this."

"I'm afraid of becoming numb to all the suffering."

In recent years, there has been increasing research regarding alcohol use, substance abuse, mental health issues and well-being among lawyers, indicating significant levels of depression, anxiety and stress. We need to ask ourselves how much of our stress may be related to secondary trauma, as unchecked secondary trauma can have far-reaching negative impacts on judges, lawyers, legal professionals, clients and society at large.[5] Secondary trauma ultimately erodes our sense of self, changes our worldview and sense of safety and trust, and harms our overall well-being.[6] Secondary trauma causes distressing symptoms similar to post-traumatic stress disorder (PTSD) including feeling increasingly anxious; experiencing chronic exhaustion; extreme feelings of guilt, shame, anger or fear; and the development of substance use disorders.[7]

We are trained to manage our emotions and stick to the facts, but sometimes the facts can be deeply disturbing.[8] Judges, lawyers and legal professionals are at risk of experiencing vicarious trauma every day when listening to emotional stories about what is most likely the worst or most horrifying thing that has happened to someone; viewing gruesome and disturbing photos of injuries, crime scenes and accident scenes; and reviewing police and medical records.[9]

Along with the violent and horrific nature of criminal matters, public defenders and criminal defense lawyers frequently see clients lose their jobs, housing and familial support; watch innocent clients take plea deals; and see clients with mental illness and substance abuse disorders not being able to get the treatment they need. In personal injury cases, there are often graphic depictions of injuries, whether in photographs or through testimony. Family law practitioners see multiple domestic dispute matters involving divorce, spousal support, child custody, child support, spouse/parent/child abuse, and protective orders. In immigration asylum rulings, families may be separated or forced to return to a country where they are certain to face conflict, violence, persecution or human rights abuses. Employment attorneys represent victims of unfair treatment and harassment or the alleged perpetrator of the discrimination. These are just a few examples of trauma in the legal

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profession. The effect of continuous exposure to trauma can build and result in problematic symptoms, usually suffered alone and without tools to address the impact.[10]

Although secondary trauma is quite common among those who work in a high-stress, high-stakes environment like lawyers, it is rarely discussed due to stigma. Stigma and internal repression can lead to unproductive or dangerous coping mechanisms, further exacerbating the problem.

Here are some of the signs of secondary trauma.

▶ **Physical:** Headaches, stomach pain, sleep disturbance and nightmares, extreme fatigue, and weight gain or loss.

▶ **Behavioral:** Shutting down or numbing with alcohol and drug use, avoidance (arriving late, leaving early, missing meetings, avoiding clients), procrastination, social withdrawal, and anger and irritability.

▶ **Emotional:** Anxiety, frequent crying, loneliness and depression.

▶ **Cognitive:** Inability to concentrate, forgetfulness and inability to make decisions.[11]

The first step to solving a problem is awareness and acceptance that there is a problem. If you are overwhelmed and struggling with any impairment, consider if your work environment may be contributing to an imbalance in your life.[12] To be a good lawyer, one has to be a healthy lawyer. Therefore, any trauma or mental health issue should not be approached with shame, and do not ignore the signs. If you find yourself experiencing signs of secondary trauma, it is not a weakness but a natural human response. You do NOT have to work wounded. The good news is there are ways to cope:

▶ Prioritize your health and well-being.

▶ Practice self-care.

▶ Schedule guilt-free time to unplug, take a break, relax and recharge.

▶ Set boundaries.

▶ Seek the help and support you need and deserve.

▶ Stop trying to be everything to everyone, including your clients.

▶ Remember, you are never alone.[13]

Consider visiting The Professional Quality of Life website at *https://proqol.org/* for resources, including slides, handouts and self-assessment tools.

For additional resources, contact the professional clinical staff at JLAP at (985)778-0571, email jlap@louisianajlap.com, or visit the website, *www.louisianajlap.com*. The call costs nothing but could make a huge difference.

We are a CONFIDENTIAL Safe Haven of Healing to help you on your path to live a more balanced, healthy and rewarding life.

FOOTNOTES

1. "How PTSD Affects Legal Professionals," Chateau Health & Wellness (July 17, 2022), *www.chateaurecovery.com/how-ptsd-affects-legal-professionals*.

2. "Trauma," American Psychological Association, *www.apa.org/topics/trauma*; "Coping With Traumatic Events," National Institute of Mental Health, *www.nimh.nih.gov/health/topics/coping-with-traumatic-events*.

3. "How PTSD Affects Legal Professionals," *supra* note 1; Rebecca Howlett and Cynthia Sharp, "The Legal Burnout Solution: How Secondary Trauma Impacts the Mental Health of Legal Professionals," The Legal Burnout Solution (June 25, 2021; updated Aug. 21, 2021), *www.legalburnout.com/post/secondary-trauma*.

4. "How PTSD Affects Legal Professionals," *supra* note 1.

5. "How PTSD Affects Legal Professionals," *supra* note 1.

6. Howlett and Sharp, *supra* note 3; Stacy Miles-Thorpe, "Trauma for the tough-minded prosecutor," Texas District & County Attorneys Association, The Texas Prosecutor Journal (July-August 2016), *www.tdcaa.com/journal/trauma-for-the-tough-minded-prosecutor/*.

7. "How PTSD Affects Legal Professionals," *supra* note 1.

8. Tish Vincent, "Lawyers and Post-Traumatic Stress Disorder," Mich. B.J. (June 2014) at 58-59, *www.michbar.org/file/barjournal/article/documents/pdf4article2386.pdf*.

9. Jay Reeves, "Vicarious Trauma in the Legal Profession," Lawyers Mutual (Nov. 2, 2022), *www.lawyersmutualnc.com/blog/vicarious-trauma-in-the-legal-profession*; Stacy Miles-Thorpe, *supra* note 6.

10. Reeves, *supra* note 9; Kristine Kuzemka, "Secondary/Vicarious Trauma and Compassion Fatigue," Nevada Lawyer (Aug. 2021), *https://nvbar.org/wp-content/uploads/NevadaLawyer_Aug2021_Secondary-Trauma-and-Fatigue.pdf*.

11. Kuzemka, *supra* note 10.

12. *Id.*

13. Howlett and Sharp, *supra* note 3.

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