


STATE BAR OF MONTANA
Serving the people of Montana and their attorneys

**Stress, Compassion Fatigue
and Dealing with Emotional Clients**

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How We Know Things



Oliver Sacks, MD is a physician, a best-selling author, and a professor of neurology at the NYU School of Medicine.

He is best known for his collections of neurological case histories, including *The Man who Mistook his Wife for a Hat* (1985), *Seeing Voices* (1989), *Musicophilia: Tales of Music and the Brain* (2007) and *The Mind's Eye* (2010). *Awakenings* (1973), his book about a group of patients who had survived the great encephalitis lethargica epidemic of the early twentieth century, inspired the 1990 Academy Award-nominated feature film starring Robert De Niro and Robin Williams. *The New York Times* has referred to him as "the poet laureate of medicine."

Getting Started

- Why did you become a lawyer?
- Sources of satisfaction in your practice
- Sources of stress in your practice
- Effects of workplace stress

Stress

Acute

Episodic Acute

Chronic

Acute Traumatic Stress

Acute stress

- ❑ The most common form of stress
- ❑ It comes from demands and pressures of the recent past and anticipated demands and pressures of the near future.
- ❑ Acute stress is thrilling and exciting in small doses, but too much is exhausting. A fast run down a challenging ski slope, for example, is exhilarating early in the day. That same ski run late in the day is taxing and wearing. Skiing beyond your limits can lead to falls and broken bones.
- ❑ Overdoing on short-term stress can lead to psychological distress, tension headaches, upset stomach, and other symptoms.

Chronic Stress

While acute stress can be thrilling and exciting, chronic stress is not. This is the grinding stress that wears people away day after day, year after year. Chronic stress destroys bodies, minds and lives. It wreaks havoc through long-term attrition. It's the stress of poverty, of dysfunctional families, of being trapped in an unhappy marriage or in a despised job or career.

Episodic Acute Stress

There are those, however, who suffer acute stress frequently, whose lives are so disordered that they are studies in chaos and crisis. They're always in a rush, but always late. If something can go wrong, it does. They take on too much, have too many irons in the fire, and can't organize the slew of self-inflicted demands and pressures clamoring for their attention. They seem perpetually in the clutches of acute stress.

Stress Warning Signs and Symptoms

Cognitive Symptoms

- Memory problems
- Inability to concentrate
- Poor judgment
- Seeing only the negative
- Anxious or racing thoughts
- Constant worrying

Emotional Symptoms

- Moodiness
- Irritability or short temper
- Agitation, inability to relax
- Feeling overwhelmed
- Sense of loneliness and isolation
- Depression or general unhappiness

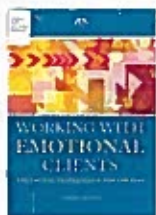
Physical Symptoms

- Aches and pains
- Diarrhea or constipation
- Nausea, dizziness
- Chest pain, rapid heartbeat
- Loss of sex drive
- Frequent colds

Behavioral Symptoms

- Eating more or less
- Sleeping too much or too little
- Isolating yourself from others
- Procrastinating or neglecting responsibilities
- Using alcohol, cigarettes, or drugs to relax
- Nervous habits (e.g. nail biting, pacing)

"Flooding"



Our modern brains continue to respond to stressful circumstances (change) as threats / dangers you must protect against.

Dr. John Gottman

- ❑ Adrenaline and cortisol are secreted in such large doses that it triggers a 'fight or flight' stress reaction coupled with intense fear or anxiety.
- ❑ Brain is effectively impaired by stress; can't think; can't process information or communicate effectively.

What Happens

- ❑ Causes people to go blank; their brain is simply not registering; they can't hear you.
- ❑ The information never registers. If you ask them an hour later what you told them, they won't know. They've paid you for advice, but don't seem to take it.

Flooding is NOT a character issue

- ❑ It's a chemical reaction.
- ❑ They're not ignoring you, they can't understand, they can't hear. It's physical.
- ❑ Saying "Get a Grip" won't work. Don't increase the pressure. Don't Push.
- ❑ De-escalate the situation. How?
 - Breathe
 - Walk
 - Use muscles

Strain

Prolonged mobilization of our sympathetic nervous system results in strain which eventually undermines our behavior, performance, morale and health.

Stress Hardiness

What helps you bounce back from disappointments, set-backs and losses?

Learn How to Manage Stress

You may feel like the stress in your life is out of your control, but you can always control the way you respond. Managing stress is all about taking charge: taking charge of your thoughts, your emotions, your schedule, your environment, and the way you deal with problems. Stress management involves changing the stressful situation when you can, changing your reaction when you can't, taking care of yourself, and making time for rest and relaxation.

Challenge vs. Threat

Stress hardy individuals:

- See life's changes, setbacks and problems as challenges and opportunities to grow and develop from rather than reacting to them as a threat.
- Believe they can grow from both positive & negative life experiences.
- Accept the idea that change is a positive, normal characteristic of life.

Commitment vs. Alienation

Stress hardy individuals:

- Find meaning and purpose in their lives and the work they do and are fully involved in what they are doing despite stressful changes and challenges they may be facing.
- They don't aim for perfection, they give activities their best effort and have a curiosity about what they are doing instead of a feeling of detachment or isolation.

Control vs. Powerlessness

- Stress hardy individuals attempt to find ways to influence the outcome of stressful changes, rather than seeing themselves as victims or lapsing into passivity.
- Tend not to be 'blamers' and 'complainers' and feel in control of their destiny and direction in life.
- Develop a strong belief in their ability to manage the resources in their lives effectively instead of feelings of powerlessness.
- Have a realistic perspective on changing the things they can and accepting the things they cannot.

Control vs. Powerlessness

- Hardy individuals have an 'internal locus of control' and so tend to perceive themselves as 'in charge' and 'responsible' for the outcomes of their lives.
- Those who experience unhealthy emotional states and engage in harmful behaviors have an 'external locus of control', believing that outcomes of their actions are contingent on events outside our personal control.

Resilience

- The ability to thrive in the face of change and adversity.
- Resilient individuals can adapt, change directions and bounce back quickly.

High resilience to stress combines:

- *Optimism* (positive individual perspective)
- *Self-efficacy* -- utilizing resources to manage effectively
- *Strong social connectedness* (the ability / capacity to recruit and utilize social support)
- *Effective problem-solving skills* (the ability to both see the big picture and break a situation down into smaller manageable parts)
- Although some judges and lawyers are by nature or experience more resilient than others, resilience is a learned trait.

Compassion Fatigue in the Practice of Law

What is Compassion Fatigue and why are lawyers at risk for developing it?

Compassion

- A feeling of deep empathy for another who is stricken by suffering or misfortune,
- Accompanied by a strong desire to assist the victim and/or alleviate their suffering.

Empathy

- The ability to vicariously experience the experiences of another person.
- The ability to intuitively understand the feelings, thoughts and experiences of another person without the other person explicitly describing / communicating them.

Mirror Neurons

Mirror neurons are triggered by:

- Observing the actions / experiences of another
- Hearing the stories of another
- Reading the descriptions of the experiences of another

In your role as a lawyer:

- Do you regularly observe traumatic events or visual evidence of trauma suffered by another?
- Are you required to listen to the stories of the traumatic experiences of another?
- Are you required to read descriptions of the traumatic experiences suffered by another?

Trauma's toll

- What is the impact of regularly being exposed in our law practices to the experiences and stories of victims of trauma?

Acute Traumatic Stress

- Subjective sense of numbing, detachment, depersonalization
- Hyper-arousal symptoms
- The intrusive re-experiencing of a traumatic event
- Avoidance symptoms
- Symptoms 2 days – 4 weeks

Post traumatic stress

- Hyper-arousal symptoms
- The intrusive re-experiencing of a traumatic event
- Avoidance symptoms
- Symptoms persisting for longer than 3 months

Secondary Traumatic Stress / Vicarious Traumatization

When a professional helper experiences:

- Traumatic stress symptoms, and
- A negative shift in his or her world/life view in response to assisting or interacting with a direct victim of trauma.

Compassion Fatigue

"A debilitating weariness brought about by repetitive, empathic response to pain and suffering, compassion fatigue is a result of absorbing and internalizing the emotions of clients and, sometimes, coworkers..."

Karl LaRowe, MA, LCSW

Compassion Fatigue

- Constant / repeated exposure to traumatized clients significantly increases a lawyer's vulnerability to develop compassion fatigue.

Compassion Fatigue

Signs and symptoms:

- ☐ Feelings of despair and hopelessness
- ☐ Decrease in feelings of pleasure
- ☐ Constant stress and anxiety
- ☐ Pervasive negative attitude
- ☐ Feelings of being overwhelmed

How Compassion Fatigue Presents:

- ☐ Clients' stress affects you deeply
- ☐ Overwhelmed by unfinished personal business
- ☐ Personal concerns often intrude on work
- ☐ Feeling vulnerable all the time
- ☐ Association with trauma affects you deeply
- ☐ Small changes are enormously draining

Resiliency Strategies

- Education, supervision and support for the potential impact of secondary trauma upon lawyers regularly exposed to it.
- Awareness:
 - Being attuned to ones needs, limits, emotions and resources
 - Knowing your "renewal zones"
 - Practicing mindfulness
 - Accepting and acknowledging that we are changed by what we do

Mitigation Strategies

- ☐ Be mindful of your level of identification with client, especially if you have a personal trauma history.
- ☐ Being aware of and intentionally managing your autonomic nervous system (fight or flight and relaxation responses).
- ☐ Learn techniques to calm yourself after your sympathetic nervous system has been triggered.

Resiliency Strategies

Caseload / workload:

- Volume
- Diversity

Balance:

- ☐ Maintaining balance among our life activities
 - work, play, rest
- ☐ Have a personal life!
- ☐ Pursue joyful activities 😊

Resiliency Strategies

- ☐ Connect
 - To yourself
 - To others
 - To the bigger picture
 - *Connection increases validation and hope*
- ☐ Have one focused, connected and meaningful conversation each day
- ☐ Peer debriefing / consultation

Resiliency Strategies

Recharge your batteries daily

- ☐ Something as simple as committing to eat better and stopping all other activities while eating can have an exponential benefit on both your psyche and your physical body. A regular exercise regimen can reduce stress, help you achieve outer balance and re-energize you for time with family and friends.
- ☐ Spend time daily on an activity you find meaningful that is not related to work. This can be an activity you do alone or with others. Reading, writing, walking, listening to music, building, playing - whatever re-energizes you.

Self Awareness = Step 1

- Handouts: Self-Tests
 - Use the internet
 - Use your connections
 - Ask for help
- Identifying the Challenge puts you on the Path to the Solutions.



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Thank You

.....and please take
good care of yourself!

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