



MOLAP News

The Missouri Bar

Spring 2014

The MOLAP vision continues: "More Lawyers Better"



Director's Notes

Greetings from the MOLAP office in Jefferson City, where the flowers are starting to bloom. I hope your spring is off to a good start.

MOLAP has provided 7 formal presentations so far this year including 5 at law schools, one for clerks of the Missouri Supreme Court and another at the Missouri Association of Probate Judges Conference. We provided information to new attorneys and their families at the Spring Enrollment Ceremony at the state capitol last month. In June, MOLAP will also present at the Solo and MATA Conferences.

We are focused now on planning the 19th Annual Missouri Lawyers' Assistance Conference, which will be held on October 24 and 25 at the Holiday Inn Country Club Plaza in Kansas City, MO. This year's conference will focus on success, satisfaction and self-care. Presentation Topics will include: The Ethics of Client Relations, What's New in Addressing Substance Abuse in Individuals and Families, Intervention under Rule 16, Sober as a Judge, Trends in Lawyer Assistance Programs, Results of a Survey on Attorney Happiness by one of the coauthors, and Creating Good and Happy Law Students. There will be a joint meeting of the Lawyers' Assistance and Intervention Committees during the conference. Because of our sponsorships we will again be able to offer a low registration rate. We hope you plan to attend.

We are now accepting nominations for the James T. Britt Memorial, Dorothy Kaiser and Warren Welliver Awards, which will be presented at the conference. Please consider nominating someone you would like to be considered for one of these awards.

The MOLAP Video has had approximately 747 views since it was released in September, 2013. As of May 7, there have been 288 individual views, 241 views at Missouri Bar CLE events, and 218 views at MOLAP presentations so far in 2014. The video is available on the MOLAP webpage on The Missouri Bar's website: <http://www.mobar.org/molap/> and The Missouri Bar's two video social media channels, YouTube and Vimeo.



Anne Chambers, LCSW

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Lawyer Support Groups

If you are interested in joining a Lawyer Support Group in your area, contact the appropriate person:

St. Louis

Tom Casey
(314) 421-0763

Gary K. Burger, Jr.
(314) 799-4848

Kansas City

Hugh O'Donnell
(816) 931-5533

Southeast

Peter Statler
(573) 243-3482

Save the Dates

• The Solo and Small Firm Conference will be held June 12-14 at the Hilton Convention Center Hotel in Branson, MO.

• The 19th Annual Missouri Lawyers' Assistance Conference will be held Friday, October 24- Saturday, October 25, 2014 at the Holiday Inn Country Club Plaza at One East 45th Street, Kansas City, MO 64111. If you plan to stay at the conference hotel, please call 816-753-7400 by October 6, 2014 at 5 pm to reserve a room in the Missouri Bar Room Block at the rate of \$99/night.

• The Commission on Lawyer Assistance Programs Conference will be held on October 7-10, 2104 at the Sheraton Nashville Downtown in Nashville, TN. It will be followed immediately by the International Lawyers in Alcoholics Anonymous (ILAA) Conference from October 10-12, 2014.

Judges and Compassion Fatigue: What Is It and What To Do About It

by Anne Chambers, LCSW

Burnout Defined

Webster's dictionary defines burnout as *the exhaustion of physical or emotional strength or motivation, usually as the result of prolonged stress or frustration*. Exhaustion tops the list of symptoms of burnout and appears to be a hallmark feature. Bateson and Hart describe burnout as *complete mental or emotional fatigue lasting weeks at a time, generally as a result of exposure to stress that is pervasive, complete and prolonged*. Common symptoms include exhaustion, fatigue, detachment, boredom, cynicism, sadness, irritability or annoyance. Judges facing burnout often feel drained, as if they have nothing left to give, feel a lack of achievement, purpose and sense of hope. Some experience distrust or a sense of impending failure. Burnout is a disillusioning experience. Doing the minimum becomes a challenge. Unrelieved, burnout may harden into a fixed element of one's outlook and depersonalization of cases one must deal with. When burnout is advanced, the judge's usual demeanor may harden and they may come across as detached.

Compassion Fatigue

Compassion satisfaction occurs when you feel good about what you do because you care. There is a sense of purpose, achievement, and meaning. Compassion fatigue is generally defined as the cumulative impact of continual exposure to traumatic or distressing stories and events when working in a helping capacity over a long period of time. Compassion fatigue is related to the nature, intensity and quantity of the subject matter handles as part of their job. Moraites notes that compassion fatigue comes from "working with the big uglies in life." Common signs of compassion fatigue include intrusive thoughts, anger or fear, disturbed sleep, fatigue, loss of appetite, loss of empathy, loss of faith in humanity, a sense of isolation from others and physical complaints.

The emotional impact of compassion fatigue can include feelings of powerlessness, alienation from others and becoming indecisive or anxious. Beliefs about the meaning of one's work can be questioned. The judge's sense of safety, security, truth and justice are shaken. Pessimism, irritability, a sick feeling or sense of depression can creep in. Some attempt to cope in ways that are unhelpful.

Signs of compassion fatigue in judges and attorneys include:

- Elevated anxiety, such as being vigilant, jumpy or easily startled
- Being constantly on guard and alert to possible threats to self, family or loved ones
- Difficulty concentrating
- Difficulty sleeping
- Anger or irritability
- Having images from cases intruding into thoughts and dreams
- Dreading working with certain types of cases or clients
- Avoiding or becoming less responsive to clients, cases or colleagues, family members or social network
- Avoiding people, places or events connected with trauma
- Starting to become numb

Sources: Jaffe et al (2003) Levin et al. (2003), Michener (2009), Osofsky, Putnam and Lederman (2008), Vrkelvski et al (2008)

What is the difference between burnout and compassion fatigue?

Long and Manghelli describe burnout as an advanced state of physical emotional and mental exhaustion related to the stresses of the job. Time away from work revives us. Compassion fatigue results from the cumulative impact of long term exposure to disturbing material. It is when compassion hurts. It involves burnout plus a negative shift in one's world view.

Risk Factors

Judges are exposed to a number of risk factors for compassion fatigue: graphic medical evidence, 911 tapes, photos and videos of injuries, victim impact statements, testimony at trial and sentencing, and statements of surviving family members. With the increasing use of specialty courts and dockets, judges may experience a greater concentration of highly emotional cases where difficult material is being reviewed. They are expected to be neutral in the face of tragedy, perform duties im-

partially without being unduly swayed by emotion, and serve as the balance point and decision maker. Judges are expected to appear unaffected by disturbing information they see and hear. Judges face isolation due to the uniqueness of their role, make weighty decisions and are expected to keep their own counsel. Highly complex, emotionally charged cases can take a toll over time.

In 1996, Saakvitne and Pearlman identified factors that influence vulnerability to compassion fatigue. Individual vulnerabilities include a history of or current trauma, health problems, alcohol or drug abuse troubles, poor job performance and the presence of depression or anxiety. Life factors that increase vulnerability include times of difficulty with one's spouse or partner, children, parents or finances. Organizational stressors include performing multiple jobs, times of budget cuts or eliminating positions in the workplace and a sense of unrecognized accomplishments. Judges were identified as 20th of 21 professions at risk for compassion fatigue.

Legal professionals at greater risk for compassion fatigue are those who work in criminal, family or juvenile law; those with caseloads involving lots of human-induced trauma; those with high percentage of exposure to graphic evidence day in and day out; those who work grim dockets over a long period of time; those who work alone; those with higher caseloads; and those with limited support. Personality factors that increase susceptibility include a high need for control, over dedication, perfectionism and workaholic tendencies. Others at greater risk are idealists, those with unrealistic expectations or low coping abilities. Very empathic people who pour high levels of emotional energy into their work can become overwhelmed over time.

What the Scholarly Literature says about Compassion Fatigue

Levin and Griesburg studied compassion fatigue in attorneys. They surveyed attorneys working with victims of domestic violence and criminal defendants and compared them with social service and mental health workers. Their article was published in Pace Law Review in 2003. The attorneys demonstrated significantly higher levels of secondary traumatic stress and burnout, scoring higher on all areas. The difference appeared related to attorneys' higher case loads and lack of supervision around trauma and its effects. Attorneys working with victims often reported they'd become over extended with clients. Increased client load predicted higher scores on secondary trauma and burnout scales in all of the occupations they examined.

Jaffe, Crooks, Dunford-Jackson and Judge Michael Town did a study which was published in the Juvenile and Family Court Journal in 2003. One hundred five judges completed a self-report measure and had the opportunity to answer open ended questions. They investigated symptoms of vicarious trauma, coping and prevention strategies in judges. Sixty three percent of the judges reported experiencing one or more symptoms related to vicarious trauma. Short term symptoms most frequently reported by the judges were sleep disturbances (17%), intolerance of others (11%) and physical complaints (8%). Long term symptoms more frequently reported were sleep disturbances (7%), depression (5%), and isolation (5%). The most common personal coping strategies judges used were physical activity, rest and relaxation and social contacts. Their most common professional coping strategies were attending workshops, peer support and reading educational materials. Their most common societal coping strategies used included public speaking on role of the courts, coordination of court and community services and court reform to facilitate administration of justice. Strategies to prevent compassion fatigue suggested by the judges included not dwelling on decisions once they are made, enjoying your job, doing your best at work, maintaining balance, having outside friendships, having date night with a spouse, laughing often, having collegial relationships in the work setting and being involved in fun groups that were not court related.

Lustig, Karnik, Deluchi, Tennakoon, Kual, Judge Marks and Judge Slavin studied compassion fatigue in immigration judges. Their work was published in Georgetown Immigration Law Journal in 2008. They found that many judges adjudicating cases of asylum seekers suffered from significant symptoms of secondary traumatic stress and job burnout. On a 5 point scale the judges scored 2.0 on symptoms of intrusion, 2.3 on avoidance, and 2.4 on symptoms of activation. Hearing the detailed stories of persecution and abuse took the greatest toll. One recommendation was that the immigration judges have the opportunity to research conditions in the countries of origin in the cases they were handling.

Tools to respond effectively

Research based suggestions for improving mood, increasing life satisfaction and mitigating stress include

- Recognizing the risks for yourself
- Finding a way to debrief distressing material
- Working on self-awareness
- Taking a periodic inventory of how balanced your life is or isn't
- Being intentional about balance and protecting yourself

Factors that buffer against burnout include

- Use of humor
- Regular exercise
- Enough sleep
- Keeping in touch with friends
- Having hobbies
- Taking planned vacations
- Being part of a healthy team environment
- Supervision and support

If you are already experiencing burnout or compassion fatigue, there are many ways to recover.

- Recognize the situation and the signs that led to it
- Reverse the tide
- Find resilience
- Start with the basics
 - Focus on regular sleep, fitness and eating well
- Think about
 - What you really enjoy
 - What gives you meaning in your work and personal life
 - What will help you recharge
 - Focus on those items
 - Plan to do them soon
- Sense of humor
- Seek support
 - Spend regular time with family and friends
 - Participate in creative non-work activities
- Hobbies
- Time away
- Vacations are important
 - Take one or plan one soon
 - Take mini breaks and regular vacations
 - Small mental breaks – see a play, a movie, a concert or your favorite sport.
- Introverted or extroverted?
 - Introverts can benefit from time alone, away from hustle and bustle
 - Extroverts can benefit from frequent physical activities, opportunities to interact
- Renew your professional batteries
 - Regular supervision
 - Debriefing
 - Attending workshops
- Seek perspective
- Recognize what you can control and what you can't
 - Strive for balance in your routine
 - While recharging your batteries, note that you are you are doing so
- Reduce your stress load
 - Identify factors causing stress right now
 - What is likely to cause stress in the future
 - Set realistic goals
- Consider the meaning of your work
 - What drew you to the law
 - How your job fits into your community and the larger world.
- Keep an eye out for your fellow colleagues
- Reestablish some boundaries. Decide when you will stop judging for the day. Will it be
 - When you hang up your robe,

- Lock the office door,
- Turn into your driveway,
- Hug your loved ones,
- Turn off your cell phone?

Sources: Blackford (2011), Crawford and Querin (2012), Jaffe et al (2003), Long and Manghelli (2011), Mergendahl (2012)

Having an opportunity to debrief the traumatic aspects of difficult cases has been identified as a helpful tool in preventing compassion fatigue. Low impact debriefing is a helpful strategy which involves providing fair warning, obtaining consent and giving limited disclosure, working from the outer circle from the least traumatic to the inner circle of the most traumatic information, and stopping when you feel relief.

Triggers are events that cause an intense emotional response. They are different for each of us. Common examples include abuse of vulnerable populations, situations that open an old wound or cut too close to home, certain kinds of disrespect, harsh realities of life and systems, and double bind situations in which all options seem grim. Reactions may include anger, anxiety, working harder, using coping methods that hurt more than help, physical complaints like headaches, stomach problems, back pain, fatigue and turning to coping methods that hurt more than help. Identify what kinds of cases are most likely to trigger a strong response for you. Identify ways to cope with them now so that you are well prepared when they present themselves.

Burnout and compassion fatigue are not mental health diagnoses. Some of the symptoms can overlap with signs of depression like sadness, detachment, pessimism and irritability. Judges and attorneys who suspect they are facing burnout or compassion fatigue combined with depression may benefit from additional assistance. By using the right tools, you can exercise compassion in ways that allow you to be a great professional who feels rewarded by the work you can do. The time you take to refresh and renew will be time well spent.

*For professional, confidential assistance
in coping with burnout or compassion fatigue,
contact MOLAP at 1-800-688-7859.*

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Online Resources

- The International Lawyers in Alcoholics Anonymous (ILAA) has weekly online meetings. The meetings are held each Monday at 8:00 p.m. and 10:00 p.m. Eastern Time. To join ILAA and attend the meetings, log into the ILAA website, www.ILAA.org, and click the button on the right hand side of the page for "online meetings." The only requirement is that the attorney be in recovery and was at one time admitted to a Bar to practice.
- The Commission on Lawyer Assistance Programs has a website with resource information, a collection of literature on substance concerns, stress, depression and other emotional health issues, and a research databank at: http://www.americanbar.org/groups/lawyer_assistance.html



Missouri Lawyers' Assistance Program (MOLAP)
James T. Britt Memorial, Dorothy Kaiser and Warren Welliver Award
Nomination Form - 2014



*Nominations are open until **September 1, 2014** for the following awards to be presented at the 19th Annual Missouri Lawyers' Assistance Conference.*

- The **James T. Britt Memorial Award** will be presented to the individual who over the years or in a pioneering manner has advanced the cause of relief and recovery for impaired attorneys in Missouri.
- The **Dorothy Kaiser Award** will be presented in recognition of the pioneering contributions over the years in the field of chemical dependency, recovery and continuing, compassionate care for impaired female lawyers in Missouri.
- The **Warren Welliver Award** will be presented to the Lawyer who best exemplified compassion and concern for impaired lawyers in Missouri during the past year.

Your nominations will be appreciated. Please include the following in your nomination:

1. Nominee Contact Information:

Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
e-mail: _____

2. Specify the award for which you are nominating the attorney:

_____ **James T. Britt Memorial Award**
 _____ **Dorothy Kaiser Award**
 _____ **Warren Welliver Award**

3. Give a brief description of the nominee's contributions to the profession.

4. Give a description of why you believe this nominee should be selected for the award.

Your Contact Information:

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 e-mail: _____

Please send this nomination form to:

Anne Chambers, MOLAP Director
326 Monroe Street, P O Box 119
Jefferson City, MO 65102-0119
Or e-mail to achambers@mobar.org

Would you be willing to say a few words about your nominee at the MOLAP Conference if they are chosen?

_____ **YES** _____ **NO**

Thank You!!

MISSOURI LAWYERS' ASSISTANCE PROGRAM

A program of The Missouri Bar

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