

# Vicarious Trauma, Secondary Traumatic Stress and Burnout

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# Outline

- What is meant by Vicarious Trauma (VT), Secondary Traumatic Stress (STS) and Burnout?
- Why does this concern legal services?
- What are the symptoms?
- Treatment and prevention



# Vicarious Trauma

- **Vicarious Trauma** (VT) is the cognitive shift in beliefs and thinking experienced by professionals as a result of empathic engagement with trauma survivors. Examples of these cognitive shifts in beliefs and thinking include:
  - Alterations to one's sense of self
  - Changes in world views about issues like safety, trust and control
  - Changes in spiritual beliefs

McCann, I. L. & Pearlman, L. A., (1990) Vicarious Traumatization: A Framework for Understanding the Psychological Effects of Working with Victims. *Journal of Traumatic Stress, 3*, 131-149.

# Secondary Traumatic Stress

- **Secondary Traumatic Stress (STS)** is the natural behaviors and emotions resulting from exposure to traumatic material and the stress resulting from helping or wanting to help a traumatized or suffering person. This is very similar to Post Traumatic Stress Disorder (PTSD), but it is experienced as a result of hearing about the trauma rather than experiencing it directly.

Figley, C. R., (1995) Compassion Fatigue: Toward a New Understanding of the Costs of Caring. In B. H. Stamm (Ed.), *Secondary Traumatic Stress: Self-Care Issues for Clinicians, Researchers and Educators* (pp. 3-28). Brooklandville, MD: Sidran Press.

# Burnout

- **Burnout** is a psychological syndrome in response to chronic interpersonal stressors on the job.
  - Overwhelming emotional and physical exhaustion
  - Feelings of cynicism and detachment from the job
  - A sense of ineffectiveness and lack of accomplishment

Burnout can be associated with a very high workload or a non-supportive work environment.

Devilley, G. J., Wright, R. & Varker, T., Vicarious Trauma, Secondary Traumatic Stress or Simply Burnout? Effect of Trauma Therapy on Mental Health Professionals, *Australian and New Zealand Journal of Psychiatry*, 2009; 43:373-385

# VT & STS vs. Burnout

## ○ VT & STS

- A traumatic response to clients' specific traumatic material
- Change in psychological and spiritual well-being

## ○ Burnout

- A response to being overloaded, secondary to traumatic material
- Depletion of physical and psychological resources

# Why Does this Concern the Legal Profession?



# Substance Abuse

- 15-18% of attorneys will have substance abuse problem vs. 10% of general population.
- A study in Washington state found that 18 percent of lawyers were problem drinkers, a number that is twice the expected rate.

# Divorce

- A 1999 article noted higher rates of divorce among female lawyers.

# Professional Satisfaction

- Over 1/3 of attorneys say they are dissatisfied and would choose another profession if they could.



# Anxiety

- A 1991 North Carolina Bar Association study found 25 percent of lawyers suffered symptoms of anxiety three or more times a month in the last year.

# Depression

- A 1990 Johns Hopkins study found Lawyers suffer from clinical depression at a rate of almost four times that of the norm.
- Law student study showed by late Spring of their first year, 32% of the students were depressed. By the Spring of their third year, that number had risen to 40%.

# Suicide

- Attorneys have the highest rates of depression and suicide of any profession.
- From reports of Lawyers Assistance Programs across the country, it is verifiable that suicide among male lawyers is approximately two (2) times more likely than among men in the general population.

# Stress & Vicarious Trauma

- Studies suggest 51% of lawyers experience stress at higher levels than the “normal” population.<sup>1</sup>
- A survey of attorneys working in family law, domestic violence, and legal aid criminal defense as well as mental health providers and social service providers working with the mentally ill found that attorneys *had higher rates of secondary trauma than the other professionals surveyed.*<sup>2</sup>

<sup>1</sup>Compassion Fatigue - Because You Care, *St. Petersburg Bar Association Magazine*, February 2006

<sup>2</sup>Andrew P. Levin & Scott Greisberg, “Vicarious Trauma in Attorneys,” *24 Pace L. Rev.* 245 (Fall 2003)

# Lawyer Distress

- Competition in law school and process of learning to “think like a lawyer” are stressful
- Pressures individuals to change: conflict between pre-law school values and one’s newly emerging lawyer persona
- Come to law school with ethic of care, public interest desires, intrinsic motivations
- Choice of changing to fit in or becoming isolated: creates inner conflict, contributes to distress

Susan Swaim Daicoff, *Lawyer, Know Thyself* (American Psychological Association, 2004)

# Lawyer Distress

- A 2010 study conducted of the lawyers and support staff of the Wisconsin State Public Defender Office showed that attorneys working with clients experiencing trauma and who worked long hours were at high risk of developing significant secondary trauma and burnout symptoms.

Andrew P. Levin, MD, Linda Albert, LCSW, Avi Besser, PhD, Deborah Smith, JD, Alex Zelenski, MBA, Stacey Rosenkranz, PhD, and Yuval Neria, PhD, *Secondary Traumatic Stress in Attorneys* (The Journal of Nervous and Mental Disease, December 2011)

# Lawyer Distress

- External stressors of law practice (time pressures, workload, competition, economy, office politics, role conflicts, adversary system)
- Individual differences make some more vulnerable to external stressors (flexibility, self-control, hostility, self-esteem, values, race, gender)

# Lawyer Distress

- 3 options when intolerable environment:
  - Quit – leave the environment
  - Attempt to change the environment (more hospitable, endurable)
  - Change nothing in your external world and change your internal attitude toward environment (accept it, make it more palatable)
- Not all solutions are equally available:
  - Ex: due to economy, may not be able to find another job right now

Susan Swaim Daicoff, *Lawyer, Know Thyself* (American Psychological Association, 2004)

# Relationship between Lawyer Distress & Competence

## California Rules of Professional Conduct

### ○ Rule 3-110 Failing to Act Competently

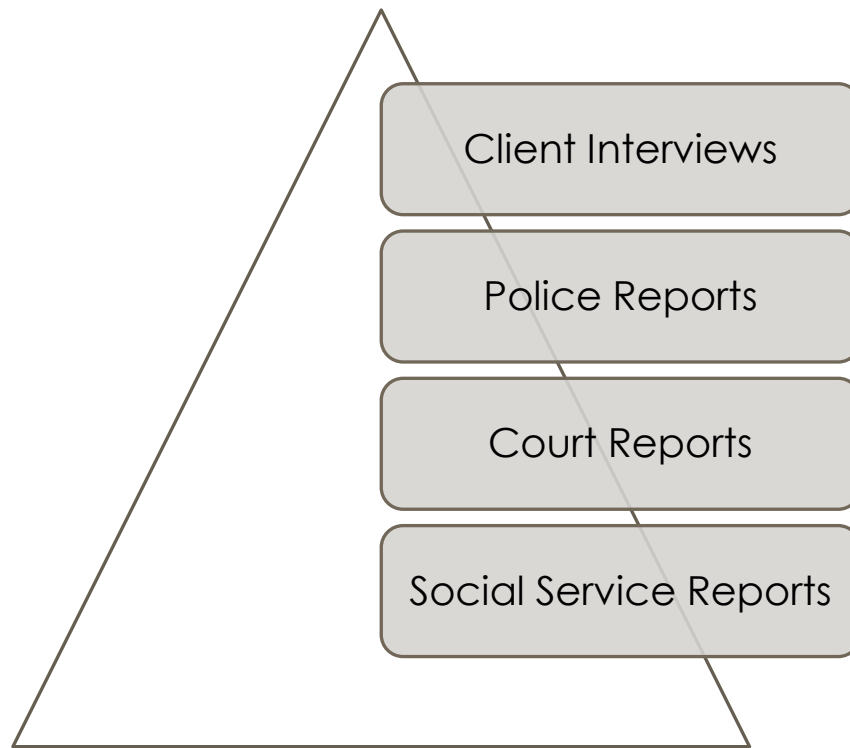
- (A) A member shall not intentionally, recklessly, or repeatedly fail to perform legal services with **competence**.
- (B) For purposes of this rule, "**competence**" in any legal service shall mean to apply the 1) diligence, 2) learning and skill, and 3) **mental, emotional, and physical ability** reasonably necessary for the performance of such service.

# Relationship between Lawyer Distress & Competence

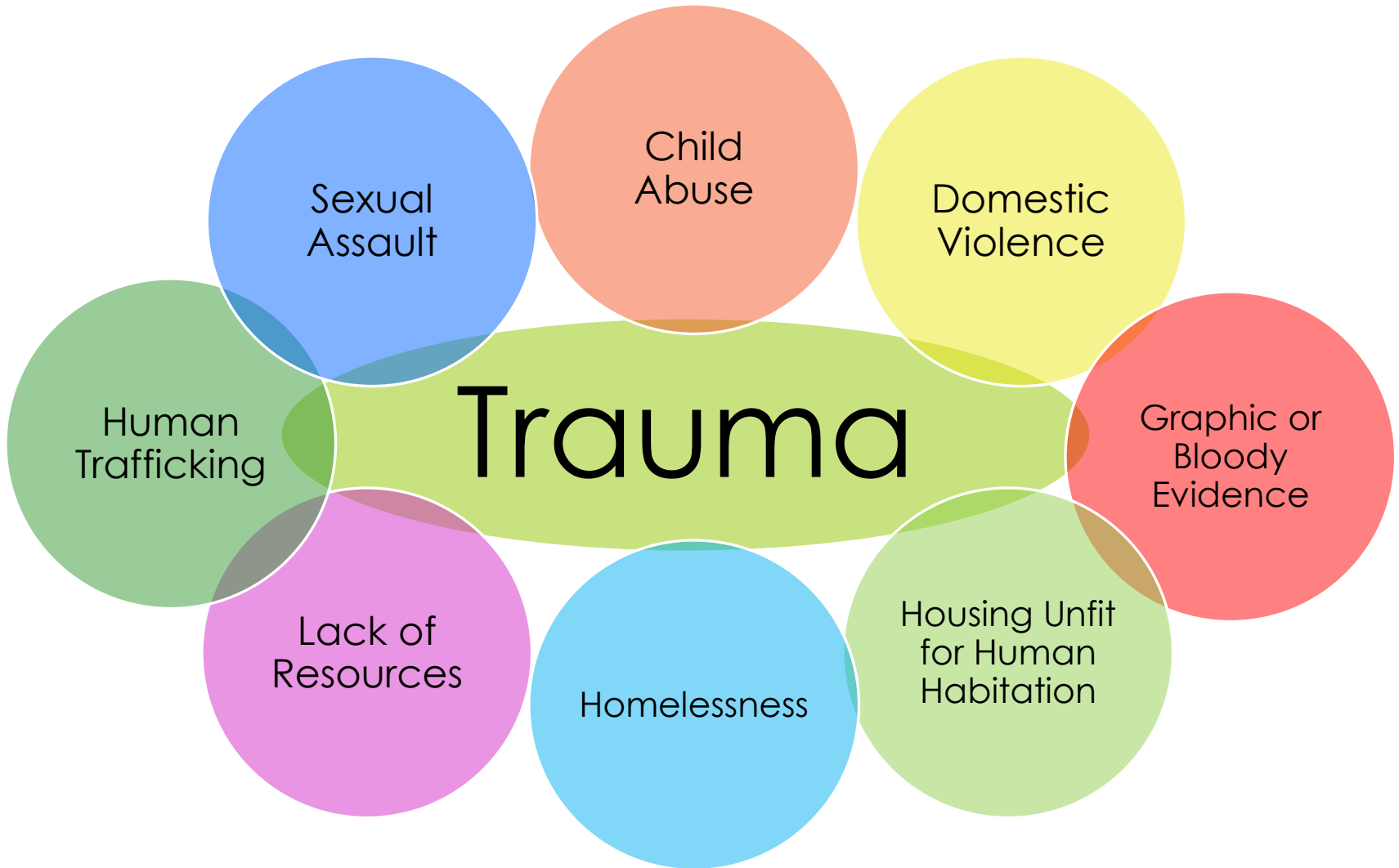
- The level of impairment of 1 in 5 attorneys requires clinical intervention.
- Lawyer distress can be potentially devastating to clients and society served by the legal profession.
- Impact on providing effective assistance of counsel.

Susan Swaim Daicoff, *Lawyer, Know Thyself* (American Psychological Association, 2004)

# Sources of Traumatic Exposure



# Examples of Traumatic Material



# Risk Factors

- Coping style
  - Emotional avoidance
  - Social withdrawal
  - Blaming others
- Personal history
  - Similar life experience may bring up unresolved issues for the worker, leading to an increased sense of vulnerability. When these feelings are transferred onto the client, it can influence the decisions made regarding a case

# Risk Factors

- Work style
  - Professional boundaries
  - Expectations of self
- Work environment
  - Lack of resources
  - Unrealistic demands
  - Lack of support

# Signs & Symptoms

# Vicarious Trauma: Changes in World View

- Changes in Spirituality – The questioning of prior beliefs and the purpose in life
- Changes in Identity – A difference in the way one conceptualizes her/his role in life
- Changes in Beliefs – A shift in the way one regards safety, control, trust, esteem and intimacy
  - Safety – Belief that there is no safe haven to protect oneself from real or imagined threats to personal safety
  - Control – Diminished sense of control in the world
  - Trust – Inhibited ability to trust one's own perceptions and beliefs
  - Esteem – For self (feelings of inadequacy in one's own ability to help others) and for others (profound awareness of the ability for people to be cruel and for the world to be unfair)
  - Intimacy – Disruption in the need to feel connected to others

McCann, I. L. & Pearlman, L. A., (1990) Vicarious Traumatization: A Framework for Understanding the Psychological Effects of Working with Victims. *Journal of Traumatic Stress, 3*, 131-149.

# Symptoms of Vicarious Trauma

- Disconnection from loved ones
- Social withdrawal
- Cynicism
- Loss of meaning and hope
- Diminished interest in self-care
- Increased sensitivity to violence

# Symptoms of Secondary Traumatic Stress

- Avoidance and numbing
  - Efforts to avoid thoughts, feelings associated with the trauma
  - Efforts to avoid activities, places or people that may arouse recollections of the trauma
  - Diminished interest in activities that once brought enjoyment, pleasure or relaxation
  - Feelings of detachment or estrangement from others

American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR), 2000.  
Washington, DC: American Psychiatric Association.

# Symptoms of Secondary Traumatic Stress

- Re-experiencing of the traumatic event
  - Intrusive recollections of the traumatic material, including images, thoughts, perceptions and dreams
- Increased arousal
  - Difficulty falling or staying asleep
  - Difficulty concentrating
  - Irritability and outbursts of anger

American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR), 2000. Washington, DC: American Psychiatric Association.

# Symptoms of Burnout

- Emotional Exhaustion
  - Depleted by the needs, demands and expectations of clients, supervisors and organizations
- Cynicism
  - Negative and detached responses to coworkers or clients and their situations
- Reduction in one's sense of accomplishment
  - Sense of inadequacy in resolving clients' problems
  - Inability to feel productive given bureaucratic constraints and administrative demands

Newell, J.M. & MacNeil, G.A., (2010) Professional Burnout, Vicarious Trauma, Secondary Traumatic Stress, and Compassion Fatigue: A Review of Theoretical Terms, Risk Factors, and Preventive Methods for Clinicians and Researchers. In Best Practices in Mental Health, Vol. 6, No. 2. Chicago, IL: Lyceum Books.

# Behavioral Impact at Work

- Avoidance of exposure to new or old traumatic material
- Intense desire to help certain clients
- Perception of survivors as fragile and needing a protector (savior)
- Polarized view of others as victims or perpetrators
- Thoughts and feelings of inadequacy as a professional
- Loss of hope or sense of dread when working with certain clients
- Dissatisfaction with work

# Behavioral Impact Outside Work

- Client issues encroaching upon personal time
- Inability to let go of work related matters
- Loss of enjoyment in activities, cessation of self care activities
- Loss of energy
- Increased anxiety, impulsivity, and/or reactivity
- Isolation
- Secretive self-medication/addiction
  - Alcohol, drugs, work, sex, food, spending, etc.
- Relational dysfunction



# Prevention & Treatment

“So now what?”

# Individual Strategies

- Personal
  - Therapeutic Self-Awareness
  - Connection
  - Healthy Habits
  - Coping Skills
  - Work-Life Balance
  - Education and Training

# Self-Awareness

- Personal History - Many people experience trauma in their lifetimes. While trauma may not result in PTSD or other functional impairment, it may have relational impact that remains hidden until purposefully exposed.
  - Take time to reflect
  - Reduce the power of your past experiences through therapy or other proactive means

# Become an Observer of Self

- Who are your most difficult clients?
- Is there a theme???
- What can you learn about yourself from this awareness?
- Recognize when you are having a strong emotional response to a client.
- Become an observer of yourself, especially when experiencing a strong emotional reaction to a client or client material. Pay attention to your feelings and the behaviors and decisions that follow.
- Strive to identify those interactions and relationships that cause you to feel or act “out of character.”

# Connect with People and Purpose

- People
  - Nurture healthy relationships and disconnect from unhealthy relationships
  - Create a network of friends with diverse careers and experiences

# Create Healthy Habits

- Sleep
  - Most people are sleep deprived which leads to physical and psychological vulnerability
- Exercise
  - Even 20 minutes 3 times a week makes a difference
- Diet
  - Do you eat at regular intervals, skip meals?
  - Do you eat enough fresh foods?
  - How about your caffeine, nicotine intake?

# Develop Good Coping Skills

- Prioritize Self - Make personal life a priority
  - Journal
  - Individual counseling
  - Create “down time”
- Have Fun - Engage in activities that make you laugh or lighten your spirits
  - Spend time in nature
  - Exercise
  - Create something
  - Spend time with friends
  - Play with a pet

# Develop Good Coping Skills

- Get away – Physically or mentally escape from work through books, vacation or mindless television.
- Seek peer support
- Relax – Find ways to spend time that are not restricted by time or expectation
  - Take a nap
  - Lay on the beach
  - Meditate

# Additional Options for Lawyers

- Lawyer Assistance Program (LAP)
  - Mission: support recovering attorneys in their rehabilitation and competent practice of the law, enhance public protection, and maintain the integrity of the legal profession.
  - Substance abuse, Mental health concerns, Stress, burnout
  - Business & Professions Code §6232 (d) confidentiality provision
  - State Bar members get a free professional mental health assessment and an opportunity to participate in the LAP without making a longer-term commitment to the program
  - Peer group support, individual peer support and individual counseling geared to the needs of legal professionals.
  - Call (877) LAP-4-HELP or go to <http://www.calbar.ca.gov/Attorneys/MemberServices/LawyerAssistanceProgram.aspx> for more information

# Additional Options for Lawyers

- The Other Bar
- Network of recovering lawyers and judges throughout the state, dedicated to assisting others within the profession who are suffering from alcohol and substance abuse problems.

# Additional Options for Lawyers

- Meditation
  - Hone traits such as focus, creativity, empathy, listening; reduce stress
  - “The Mindful Lawyer: Practices & Prospects for Law School, Bench and Bar”
  - Find or start a conference or group in your area
  - [www.contemplativemind.org](http://www.contemplativemind.org)

# Work-Life Balance

- Build “down-time” into your day
- Leave work at work, or create a “work-free zone” at home
- Unplug
- Re-evaluate self-expectations
- Take time to plan so that your time is used in the most efficient manner
- Learn to say “no”
- Reduce case load

# Education and Training

- Supervision / Consultation
- Training focused on “traumatology” can decrease the impact of VT & STS. Understanding the etiology of these issues is as important as learning effective responses to them.
  - Sexual Abuse
  - Domestic Violence
  - Childhood Trauma
  - Human Trafficking
  - Generational Poverty
  - Homelessness

# Agency Level Strategies

- Caseload
  - Heavy client load increases risk of compassion fatigue in attorneys, but it's not always an option to decrease your client load.
  - Can you vary your caseload?
  - If you cannot change your caseload, can you
    - Intersperse clients with administrative tasks
    - Distribute the level of distress of cases, mix people who are doing well and nearer completion of their cases, or more stable cases with those who are more volatile and struggling.

<sup>1</sup>Andrew P. Levin & Scott Greisberg, "Vicarious Trauma in Attorneys," *24 Pace L. Rev.* 245 (Fall 2003)  
All others on slide: B. Hudnall Stamm, Ph.D.

# Agency Level Strategies

- Try to end the day (if at all possible) with a positive activity so that you don't head home with fresh feelings of distress that you have not had time to dissipate in the work-setting where they belong. Otherwise, it is all too easy to imagine that they belong in your home/personal sphere.

# Agency Level Strategies

- Collegial and Professional-Peer Support
  - This may be in person, for example, a professional “lunch” group that meets for support
  - Alternatively, one can utilize technology to create a virtual support community
  - Find a professional colleague in solo practice doing similar work who can:
    - Listen if you are struggling
    - Tell you when you are struggling or when you need to seek professional support to deal with your feelings about work.

# Prevention - A Summary

- Know your own “triggers” and vulnerabilities
- Understand yourself and your limitations
- Maintain a work/life balance by engaging in activities that interest you
- Seek support when signs of stress are prevalent and listen to others’ counsel
- Delegate responsibilities when appropriate
- Practice ongoing stress management techniques
- Invest in opportunities that promote personal and interpersonal growth

Thank you