

## HOW BECOMING A TRAUMA-INFORMED LEGAL PRACTICE CAN BENEFIT THE CLIENT, ATTORNEY, STAFF, AND FIRM

CareerBliss compiled a survey in 2013, finding associate attorney to be *the most unhappy profession in America*.<sup>[1]</sup> Legal assistant was also on the list. Common reasons include work-life balance, health, mental and emotional stability, and overall happiness.<sup>[2]</sup> According to the NALP Foundation's 2017 Update on Associate Attrition Report, 44% of associates will leave their firm after three years.<sup>[3]</sup>

One concept that may be the source of dissatisfaction and is gaining awareness in the legal community is compassion fatigue. A combination of secondary trauma and burnout, compassion fatigue is *the depletion of the physical, emotional, and spiritual "self" from working with traumatized clients*.<sup>[4]</sup>

Compassion fatigue has a variety of symptoms including intrusive thoughts, avoidance or dread of work activities that cause discomfort, persistent arousal of irritability, outbursts of anger, difficulty concentrating, and exaggerated startle response, frequent use of sick days, reduced ability to feel empathy, and even physical symptoms like headaches, digestive problems, muscle tension, sleep disturbances, fatigue, or even cardiac symptoms.<sup>[5]</sup>

Emotional symptoms like mood swings, restlessness, oversensitivity, loss of objectivity, and depression can occur.<sup>[6]</sup>

Compassion fatigue is "the profound emotional and physical exhaustion that helping professional and caregivers can develop over the course of their career as helpers." [7] Suffering from compassion fatigue can change our personal

and professional lives, can cause bitterness about work, possibly contribute to a toxic work environment, lose respect for our clients, or resentment due to the encroachment of personal time. [8] Onset of symptoms can begin suddenly, and even one person experiencing it can affect the entire organization.<sup>[9]</sup> This is known as organizational trauma.<sup>[10]</sup>

Organizational symptoms include changes/disruptions to the organization, values, high absenteeism, conflicts between co-workers, aggressive behavior among staff and clients, rumors and gossip, and lack of flexibility in staff members.<sup>[11]</sup>

Trauma can affect relationships with clients, which could lead to less client retention. Trauma could also affect the attorney or staff member directly, which could affect the employee's work product, job satisfaction, and mental health, possibly leading to unnecessary turnover. Additionally, trauma affects the firm or organization as a whole, making the work environment toxic and less productive.

Françoise Mathieu determined, "[c]ompassion fatigue is an occupational hazard, which means that almost every helper who cares about their patients/clients will eventually develop a certain amount of it, in varying degrees of severity." [12] As it is likely an inevitability, the first step in trauma-informed practice is to determine if compassion fatigue already impacts your firm. Self-assessment and analysis can determine if your firm already has symptoms of compassion fatigue or secondary trauma, and if not, whether the firm is at risk and needs prevention for the future, the next step

would be to implement policies and procedures that are trauma-informed. This means that the various procedures within the firm that may cause clients to experience re-traumatization, such as the intake process, deposition, or trial, are modified to cause as little re-traumatization as possible.

A trauma-informed practice also means that employee's own possible traumatization (secondary trauma) from interacting with traumatized clients is considered, and steps have been taken to provide these employees with proper outlets to maintain good mental health.

The Four Steps to Wellness, coined by Mathieu include: (1) take stock of your stressors, (2) look for ways to enhance your self-care and work/life balance, (3) develop resiliency skills, and (4) make a commitment to implement changes.[13] These steps are crucial to prevent or mitigate the effects of compassion fatigue on employees.

From an organizational standpoint, it is important for managers/partners to be open in assessing their own level of burnout, secondary trauma, and compassion fatigue.[14] It is important to assess the level of these issues in your employees as well. Be a good role model for self-care by demonstrating good work-life balance. Provide appropriate orientation and expectations to employees, and give a clear message about culture, mission, vision, and values. This will help prevent burnout. Finally, provide employees a venue to discuss stressors and identify solutions.[15]

Trauma impacts clients, attorneys and staff members, and the organization as a whole. The effects are serious but not irreversible if awareness and change is implemented.

Wave of Change Coaching and Consulting provides consulting on trauma-informed law practices by:

- 1. Assessing a firm or organization's policies and procedures to ensure and develop trauma-informed practice.**
- 2. Educate staff and management on secondary trauma, compassion fatigue, and traumatized clients to bring awareness to those susceptible.**
- 3. Help implement modified policies and procedures that make the firm trauma-informed and more prepared to combat these issues.**

If you are interested in a free consultation to discuss working with Wave of Change Coaching and Consulting, LLC, please feel free to call Patrick Barnes at 813-530-5202.

**\*Wave of Change Coaching and Consulting is not a law firm and does not provide legal services.**



## **ABOUT THE AUTHOR**

Patrick Barnes is a licensed attorney in Colorado and Florida and life coach.

Having experienced trauma personally, and practicing as a personal injury attorney, Patrick experienced compassion fatigue and understands how it affected him. He wants to bring awareness and change to the profession in order to help others experiencing compassion fatigue as well.

Wave of Change Coaching and Consulting helps firms combat the effects of trauma by implementing trauma-informed procedures.

## CITATIONS

[1] Smith, Jacquelyn. "The Happiest and Unhappiest Jobs in America." Forbes.com, 22 Mar. 2013, <https://www.forbes.com/sites/jacquelynsmith/2013/03/22/the-happiest-and-unhappiest-jobs-in-america/#74d6e17a2edd>.(Emphasis added).

[2] Christin, Link. "Confronting Lawyer Turnover in Law Firms." Attorneyatwork.com, 2 May 2018, <https://www.attorneyatwork.com/confronting-lawyer-turnover-in-law-firms/>.

[3] Christin, Link. "Confronting Lawyer Turnover in Law Firms." Attorneyatwork.com, 2 May 2018, <https://www.attorneyatwork.com/confronting-lawyer-turnover-in-law-firms/>.

[4] Barbara, Lombardo, and Eyre Caryl. "Compassion Fatigue: A Nurse's Primer." [Ojin.nursingworld.org](http://ojin.nursingworld.org), Jan. 2011, <http://ojin.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Vol-16-2011/No1-Jan-2011/Compassion-Fatigue-A-Nurses-Primer.html>.(Citing Anewart, 2009, Figley, 1995)(Emphasis added)

[5] Barbara, Lombardo, and Eyre Caryl. "Compassion Fatigue: A Nurse's Primer." [Ojin.nursingworld.org](http://ojin.nursingworld.org), Jan. 2011, <http://ojin.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Vol-16-2011/No1-Jan-2011/Compassion-Fatigue-A-Nurses-Primer.html>.

[6] Barbara, Lombardo, and Eyre Caryl. "Compassion Fatigue: A Nurse's Primer." [Ojin.nursingworld.org](http://ojin.nursingworld.org), Jan. 2011, <http://ojin.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Vol-16-2011/No1-Jan-2011/Compassion-Fatigue-A-Nurses-Primer.html>.

[7] Mathieu, Françoise. "Chapter 2: Understanding the Cost of Caring." The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2012, p. 8.

[8] Mathieu, Françoise. "Chapter 2: Understanding the Cost of Caring." The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2012, p. 9.

[9] Venugopal, Vimala. "Understanding Organizational Trauma: A Background Review of Types and Causes." [Www.iosrjournals.com](http://www.iosrjournals.com), Oct. 2016, <http://www.iosrjournals.org/iosr-jbm/papers/Vol18-issue10/Version-7/I1810076569.pdf>.

[10] Venugopal, Vimala. "Understanding Organizational Trauma: A Background Review of Types and Causes." IOSR Journal of Business and Management (IOSR-JBM), vol. 18, no. 10, Oct. 2016, pp. 65–69., [www.iosrjournals.org](http://www.iosrjournals.org).

[11] "Recognizing Compassion Fatigue." [Compassionfatigue.org](http://www.compassionfatigue.org), 2017, <https://www.compassionfatigue.org/pages/symptoms.html>.

[12] Mathieu, Françoise. "Chapter 2: Understanding the Cost of Caring." The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2012, p. 9.

[13] Mathieu, Françoise. "The Four Steps To Wellness." The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2012, pp. 85–86.

[14] Mathieu, Françoise. "Appendix A - Vicarious Trauma: What Can Organizations and Managers Do?" The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2016, pp. 145–148.

[15] Mathieu, Françoise. "Appendix A - Vicarious Trauma: What Can Organizations and Managers Do?" The Compassion Fatigue Workbook, Taylor & Francis Group, LLC, 2016, pp. 145–148.