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*Lawyers at Risk for  
Compassion Fatigue*

Page 1

*Coping with  
Compassion Fatigue*

Page 2

*Time to Disconnect?*

Page 3

*Do You Need a  
Financial Professional?*

Page 6

*Leg-Up on Happiness*

Page 7

*Lawyers in Transition*

*Calendar*

Page 8

## OREGON ATTORNEY ASSISTANCE PROGRAM

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## LAWYERS AT RISK FOR COMPASSION FATIGUE

Compassion fatigue has been defined as the cumulative physical, emotional, and psychological effects of continual exposure to traumatic experiences suffered by another while working in a professional helping capacity. The symptoms are similar to posttraumatic stress disorder (e.g., severe anxiety, intrusive thoughts of traumatic event, nightmares, burnout, and cynical world view). A study of the impact of compassion fatigue/secondary trauma on the lawyers and administrative support staff of the Wisconsin State Public Defender Office (SPD) was published in December 2011.\*

The study found that the factors of caseload and exposure to other people's trauma were clearly related to symptoms of compassion fatigue. Three other factors that study participants noted as contributing to experiences of compassion fatigue were (1) lack of respect from the public and other lawyers for the work they did, (2) lack of control in one's work life, and (3) lack of enough time to process issues and give or get support.

### Specific Findings of This Study

**Depression** (depressed mood, loss of interest or pleasure, disturbed sleep, loss of appetite, low energy, poor concentration, feelings of guilt or low self-worth):

- General population: 10%
- SPD administrative support staff: 19.3%
- SPD attorneys: 39.5%

**Functional Impairment** (the extent to which exposure to traumatic material negatively impacts functioning in work, recreation, and home life):

- SPD support staff: 27.5%
- SPD attorneys: 74.8%

**Compassion Fatigue/Secondary Traumatic Stress** (the negative impact of caring about another person who has experienced trauma):

- SPD support staff: 10.1%
- SPD attorneys: 34%

**Burnout** (job-induced physical, emotional, or mental exhaustion combined with doubts about one's competence and the value of one's work):

- SPD support staff: 8.3%
- SPD attorneys: 37.4%

Linda Albert, Coordinator of the Wisconsin Lawyers Assistance Program and a cofacilitator of the study, observed that it is a testament to the resilience of the lawyers and staff who participated in the study that they continue to meet the requirements of their employment despite that they endure ongoing exposure to trauma and have heavy caseloads. "It's amazing that they do. They are handling the demands of the job but not easily and not without it having an impact on their lives."

### Observations of Lawyers and Judges

• "Many of us who have been around for a while know there can be a cost, emotionally and psychologically, to doing this kind of work. Even for lawyers who know how to maintain an appropriate professional demeanor and distance, this stuff seeps in. It changes

*Continued on page 2*

your perspective of the world.” *Director of assigned counsel for SPD*

- “Our clients have a lot of trauma in their lives: poverty, lack of education, homelessness, mental health and substance abuse issues. . . . You absorb that on a day-to-day basis, and you take it home with you. It can make you irritable and short-fused with your family.” *Attorney with 22 years’ experience as a public defender*

- A retired deputy district attorney recounted that during her 27 years of practice she regularly saw horrifying evidence of what one human did to another. Those disturbing images often lingered and intruded into her thoughts away from work and even now in retirement. “To this day when I go past a place where a homicide occurred that I prosecuted, I think about it, every time. I drive past and think, ‘That’s where Sarah was killed.’” *Retired deputy district attorney*

- “Lawyers need to know that what they’re feeling is real, and that it’s something they can discuss – that they don’t have to feel embarrassed or ashamed for feeling this way.” *Attorney with 22 years’ experience as a public defender*

- “Attorneys are much more closely related to the facts of the case for a much longer period of time than are judges. Still judges sit on the bench day in and day out hearing about the incidents of trauma inflicted or endured by people in their courtrooms. I can sit here now and call up in my mind with great accuracy all the autopsy photos I’ve ever seen.” *Circuit court judge who has spent eight years on the bench*

Vicarious trauma and compassion fatigue are not just issues for public defenders; they are issues for the broader legal profession. There is a large community of lawyers and judges who deal with clients and individuals who have experienced trauma. It is critical for these lawyers and judges to be aware of the potential risks of regular exposure to traumatized clients and individuals and to learn and proactively practice strategies that have proven effective in preventing and mitigating compassion fatigue.

Compassion fatigue is not inevitable if you take steps to prevent it. See the box below on Coping with Compassion Fatigue. In addition, the OAAP and the Oregon Criminal Defense Lawyers Association are co-

## Coping with Compassion Fatigue

Exposure to clients’ trauma isn’t going to stop. But you can mitigate the effects this exposure has on you. Here are a few strategies.

- **Debrief.** Talk with another lawyer who understands what you’re going through and can offer support. Debriefing can become a part of the office culture. Remember, this is a discussion about how the case is affecting you as a person, not a rehashing of legal strategies.
- **Take care of yourself.** Eat healthy foods. Exercise regularly. Get enough sleep. Learn relaxation techniques so you can let go of stress and disturbing, repetitive thoughts. Know what truly brings you joy in life and make time for it.
- **Strive for balance and interconnection.** Give up the urge to be all things to all people, including clients. Allow time to connect with friends and family to counterbalance the stresses you feel at work and put everything back in perspective.
- **Come up with a plan.** When compassion fatigue is weighing on you, it can be difficult to get off the treadmill and set a new course. Stop long enough to notice how you’re feeling, reacting, and behaving at work and at home. Develop a plan of action for yourself. What needs to change? Where can you start?
- **Seek help.** If you think compassion fatigue is interfering with your work or personal life, reach out for help. A good place to start is the OAAP, at 1-800-321-6227. Or contact Mike Long at 503-226-1057, ext. 11, or at mikel@oaap.org.

*Used with permission of the December 2011 Wisconsin Lawyer, the official publication of the State Bar of Wisconsin.*

## Building Resilience and Preventing Compassion Fatigue in the Practice of Law

The Oregon Attorney Assistance Program (OAAP) and the Oregon Criminal Defense Lawyers Association (OCDLA) are co-sponsoring compassion fatigue prevention trainings in the following communities:

April 3, 2012	Pendleton
April 4, 2012	Baker City
April 5, 2012	Ontario
July 31, 2012	Coos Bay
August 1, 2012	Grants Pass
August 2, 2012	Medford
August 3, 2012	Klamath Falls

Both OAAP and OCDLA are advertising these programs to the lawyers and judges in these communities by broadcast e-mail.

sponsoring upcoming compassion fatigue prevention trainings in various cities throughout Oregon. See the box on this page for more information.

*This article was adapted from the December 2011 issue of Wisconsin Lawyer. Reprinted with permission of the State Bar of Wisconsin.*

### References:

\*“Secondary Traumatic Stress in Attorneys and Their Administrative Support Staff: Working With Trauma-Exposed Clients,” *The Journal of Nervous and Mental Disease*, vol. 199, no. 12, December 2011.

“The Toll of Trauma,” Dianne Molvig, *Wisconsin Lawyer*, December 2011.

“A Traumatic Toll on Lawyers and Judges,” Mike Long and Linda Albert, *In Sight*, Issue No. 80, January 2011.

## TIME TO DISCONNECT?

We live in an amazing time when we can reach out and virtually touch someone, obtain information in seconds, and communicate without limits. Over the past ten to fifteen years we have seen a rise in the use of the Internet, cell phones, smartphones, digital music players, text-messaging, wireless devices, mobile entertainment, online gaming, camera phones, online social networking, and numerous other ways of communicating, being entertained, and staying “connected.”

Sadly, it may be in the “connection” that we run the greatest risk of losing our ability to have healthy attached relationships. We can become overloaded by technology and suffer consequences in our relationships. We can also derive an enormous benefit from technology and our ability to use it in a healthy manner. The key is developing healthy ways to manage that technology.

### Is It an Addiction?

Can we become addicted to technology? That’s debatable. More research is needed before labeling technology as an addiction. It may be more accurate to view problems with technology as an “overload” causing potential consequences. However, if we consider the overuse of cell phones, the Internet, or other forms of technology, we can find some parallels to dependency on substances such as alcohol or drugs.

My colleagues and I have witnessed the effects of technology overload on patients in a treatment setting. Before coming to treatment, career-driven women and men may have spent hours each day on their computers, cell phones, or other handheld devices, at the expense of their family or friends and their own healthy choices such as relaxation, exercise, and sleep. Patients entering treatment commonly hide their cell phones or attempt to bring in laptops. Our patients also demonstrate problems with Internet gambling, Internet sexual behaviors, and a reliance on various communication devices. An informal survey of patients found that 85 percent of them believe they could not professionally or emotionally function well without their “tools of the trade.”

*Continued on page 4*

This feeling of uneasiness when denied access to technology is not unique to patients in a treatment setting. Take, for example, the BlackBerry system outage in April 2007. When the network went down, thousands of concerned users called the company expressing frustration over missing messages. Users described extreme anxiety, fear of missing messages, phantom vibrations, and anger that they couldn't communicate.

## OAAP and OWLS Present the Fifth Annual Women's Wellness Retreat for Lawyers: Renewing Your Dreams



The OAAP and OWLS are pleased to offer the fifth annual Women's Wellness Retreat for Lawyers: Renewing Your Dreams, on Friday and Saturday, April 27-28, 2012. This weekend is designed to help you relax, feel empowered, and nurture your sense of community and friendship with other women lawyers. Qualifies for 1 MCLE Personal Management Assistance credit.

A block of rooms is reserved for attendees at a special discounted room rate at The Resort at the Mountain in Welches, Oregon ([www.theresort.com](http://www.theresort.com)). The deadline to reserve rooms at the discounted rate is April 12, 2012. Reserve online at [www.theresort.com](http://www.theresort.com) or call 1-877-439-6774.

To register for the retreat, visit [www.oaap.org](http://www.oaap.org), select CLEs/Workshops, select Women's Wellness Retreat, and download the registration form, or call the OAAP Program Assistant at 503-226-1057 or 1-800-321-6227, ext. 10. The deadline to register is Monday, April 23, 2012. For more information about the retreat, contact Shari R. Gregory at ext. 14 or [sharig@oaap.org](mailto:sharig@oaap.org).

We have become so accustomed to the luxuries of technology that we may be forgetting how to play, have personal connections, and use coping skills in face-to-face interactions. We can see demonstrations of this disconnect from relationships on a daily basis. Through these disconnections, we are perhaps running the greatest risk of harming our attachments to relationships and other people.

### How Much Technology Is Too Much?

The following warning signs may indicate that you need to reevaluate your use of technology:

- **You need your connection . . . now!** You panic or become irritable when you can't get cell phone service, your Internet connection is down, or your cable or satellite feed is not working. You find that when you cannot access the Internet, use your cell phone, or access other technologies, you experience distress.

- **You lose track of time or have technology blackouts.** You consistently lose yourself in the Internet world, intending to spend an hour and looking up to discover it has been four hours. Or you use your BlackBerry so much that the term "crackberry" has meaning for you.

- **Your relationships suffer.** You spend less time participating in personal activities, or limit your time with friends and family to attend to your e-mail or return phone calls. You frequently miss appointments or are late because you got caught surfing the Internet, checking e-mail, or talking on your cell phone. You use text messages, e-mails, and voice-mails when a face-to-face interaction would be more appropriate.

- **You can't leave home without it.** You can't take a vacation without bringing four different charging devices for all your gadgets and gizmos. Your car needs extra batteries to power all of your devices. When your cell phone ear piece becomes a permanent part of your wardrobe, that's a problem.

- **Your family or friends ask you to stop, but you can't.** You find you spend more time communicating on the phone or via e-mail than you do in person (e.g., sending e-mail or texts to your spouse while in the same house). The Internet becomes a more powerful draw than spending time with family or friends or other favorite activities. You become irritated when others complain about your use of technology.

## Support Group for Problem Gamblers

The OAAP will be offering a weekly support group for lawyers who struggle with problem gambling. The group will meet at the OAAP office in Portland. If you are interested in support or would like additional information, please call Douglas S. Querin at 503-226-1057, ext. 12, or Meloney C. Crawford, ext. 13.

- **You take risks using technology.** You text-message while driving, talk on the phone extensively while driving, or use the Internet in situations that could have consequences. You spend excessive time using the Internet at work for reasons other than work purposes.

- **Even after experiencing consequences, you continue your behavior.** Getting in an accident while on the cell phone or family members' complaints about the lack of attention does not change your behavior.

### Relationships Suffer from Technology Overload

Even with limited research on how technology impacts our relationships, we intuitively know that the overuse of technology can harm our relationships and affect our families and friends.

Research and various studies have demonstrated the importance of attachment to other people on how well we cope with life, feel safe in relationships, and manage stress. Furthermore, we know that children who suffer from attachment disorders struggle with trust, superficial relationships, poor peer relationships, lying, fear of intimacy, shame, and feeling alone.

Take the example of a father and son at a baseball game. A home run ball heads toward the stands. The father, talking on his cell phone, makes a half-hearted attempt at catching the ball. He does not catch the ball, and the son appears dejected. The father never stops his phone call. What could have been a bonding moment was derailed by the father's inability to disconnect from technology. Observing people on a daily basis, it is easy to recognize how lost we have become in our own worlds. Talking on the phone, returning messages,

playing games, listening to music on headphones that block out the world, and other examples illustrate how easy it is to escape.

Of course, technology has enormous benefits that assist us on a daily basis. Cell phones help us keep up with family, friends, and business and assist us in an emergency. The Internet is a wonderful resource filled with knowledge and endless learning opportunities. Evidence shows that video games can improve various motor skills and problem-solving skills. The hope is that we can apply technology with a healthy balance and set limits.

### Set Technology Limits

The challenge for each of us is to assess how much control technology has over our lives. Is there a clear line between work and home? Can you turn off the phone or stop checking e-mail?

After you assess your use, which may require feedback from others, set some limits. What is a reasonable amount of time to surf the Internet? What are your rules for returning e-mail? What will happen if you do not respond immediately? In setting limits and rules, you may develop ways to better attend to your family and friends. The father talking on the cell phone at the baseball game could return calls at the end of the game instead of throughout the game. Ultimately, being present in relationships with family and friends should include both body and mind.

Setting limits on what we communicate via text-messages or e-mail is also helpful in developing healthier relationships. It is not appropriate to end relationships, fire people, or express anger via text message or e-mail. An important aspect of building healthy relationship coping skills is communicating your feelings in person. We can learn to healthily use increasing technological advances if we set limits, develop rules, and attend to our relationships.

JOHN O'NEILL

*The author is the director of addiction services at The Menninger Clinic in Houston, Texas.*

*This article was reprinted from Highlights, winter 2008. Reprinted with the permission of the American Bar Association's Commission on Lawyer Assistance Programs.*

## DO YOU NEED A FINANCIAL PROFESSIONAL?

If being a do-it-yourselfer isn't getting you to meet your financial goals, consider a relationship with a financial professional. A professional can help you set realistic financial goals, develop a realistic plan to meet these financial goals, put your plan into action, and help you stay on track.

For many people, seeking professional help is "event-driven." Common events or needs that might motivate you to seek financial guidance include rolling over your retirement plan's lump sum, receiving an inheritance, preparing for marriage or divorce, planning for the birth or adoption of a child, caring for aging parents, planning for a special-needs child, or buying or selling a business.

### How Do You Find the Right Financial Professional for You?

The Securities and Exchange Commission (SEC) suggests you start by asking these important questions when interviewing a financial professional:

- What training and experience do you have? How long have you been in business?
- What is your investment philosophy? Do you take a lot of risks, or are you more concerned about the safety of my money?
- Describe your typical client. Can you provide me with references, the names of people who have invested with you for a long time?
- How much will it cost me in total to do business with you?

Money and financial decisions are often emotional and frequently difficult. An objective, third-party perspective can help you follow through with plans for your financial goals.

### How Is a Financial Professional Paid?

- **Fee Only.** The planner is compensated entirely from fees paid directly by the client for purposes of consultation, plan development, or investment management. These fees may be charged on an hourly or project basis, depending on your needs, or on a percentage of assets under management.

## 24th Annual Dinner Celebrating Recovery

Please join the Oregon Attorney Assistance Program on Friday, May 4, 2012, at the 24th Annual Dinner Celebrating Recovery for lawyers and judges at The Governor Hotel in downtown Portland, from 6:30 to 10 p.m.

For a registration form or more information, call the OAAP at 503-226-1057 or 1-800-321-6227. The deadline to RSVP is Wednesday, May 2, 2012. Dinner is \$35 per person.

- **Commission Only.** There is no charge to the client for the planner's advice or preparation of a financial plan. Compensation is received solely from commissions for the sale of financial products you agree to purchase in order to implement financial planning recommendations.

- **Combination Fee/Commission.** A fee is charged for consultation, advice, and financial plan preparation on an hourly, project, or percentage basis. In addition, the planner may receive commissions from the sale of recommended products used to implement your plan.

- **Salary.** Some planners work on a salary and bonus basis for financial services firms.

However the planner is paid, you should request information on any real or potential conflicts of interest. In addition to commissions received from any financial product sales, ask whether there are outside incentives or bonuses to be gained by the planner for certain recommendations.

**Sources:** Securities and Exchange Commission ([www.sec.gov](http://www.sec.gov)); Financial Planning Association ([www.FPAforFinancialPlanning.org](http://www.FPAforFinancialPlanning.org)). Used with permission.

*This article originally appeared in Hope Health Letter, vol. 30, no. 9, September 2010, published by Hope Heart Institute, Seattle, WA. Reprinted with permission.*

## LEG-UP ON HAPPINESS

We focus on how to “work smart” or work effectively, but our success also depends on how happy we are at work. The following are eight concepts to consider in improving your happiness at work:

- **Accept the fact that you alone are responsible for your happiness.** Happiness is all about your own perspective.

- **Understand the trade-offs.** Every choice has a consequence; be honest about what you want and the costs.

- **Learn how to let go.** The happiest people do not dwell on things. Pay attention to your thoughts; learn from each situation, but let go of things that are not conducive to your work or happiness.

- **Reframe.** When faced with unexpected or less-than-ideal situations, try to reframe the issue or circumstance. Although changing your frame of reference does not alter the facts, it can change the situation into something more positive.

- **Remember that you always have options.** Optimists view problems as specific, temporary, and impersonal. Pessimists see problems as pervasive, permanent, and personal. Reflecting on your frame of reference might help modify your perception of any

given situation. And getting out of the “all or nothing” frame of mind will help generate new problem-solving options.

- **Do something nice for someone each day.** Kindness begets kindness.

- **Be more still.** Give yourself the opportunity to reflect. First, think about what is important, then act.

- **Commit.** Take action. No one ever learned to ride a bike by attending a lecture or reading a book. Make a commitment to being happier, and take little steps each day to accomplish that goal.

People who are happy at work tend to be more successful than those who are not. We should seek not only efficiency and results but also joy in our work.

HELEN YU  
YU & YU LLP

*This article was based on a presentation by human resources professional Ellen Raim, JD, at a 2010 Oregon Women Lawyers’ “Leg-Up” event.*

*The article originally appeared in the Summer 2010 issue of the Advance Sheet, published by OWLS. Reprinted with permission.*

## The path to fulfillment begins with a phone call.

The Oregon Attorney Assistance Program is here to help you through any personal or professional issue—confidentially and free of charge.

Call 503.226.1057 · 1.800.321.6227



**OREGON ATTORNEY  
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## OAAP 2011 CLEs on Audio/Video

The following OAAP 2011 CLEs are now available on audio/video:

- “Health Insurance Today, at 65, and in Retirement”
- “What Lawyers and Judges Need to Know About Compassion Fatigue”
- “Stress Hardiness for Lawyers and Judges”
- “The Next Stage: Planning NOW for the Retirement YOU Want”

For a copy, go to [www.oaap.org](http://www.oaap.org), and click on CLEs/Workshops.

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## **LAWYERS IN TRANSITION CALENDAR**

Lawyers in Transition is a networking, educational, and support group for lawyers and judges making job or career transitions. The group meets on Thursdays at noon in the OAAP offices at **520 SW Yamhill, Suite 1050, Portland**. If you are interested in attending, please contact Shari R. Gregory, 503-226-1057, ext. 14, or Mike Long, ext. 11. A guest speaker for Lawyers in Transition is featured on the first Thursday of each month. These meetings are open for anyone to attend. See the calendar below for scheduled speakers.

The OAAP also occasionally presents career workshops to assist lawyers, judges, and law students in identifying satisfying job and career opportunities. These workshops typically meet one evening per week from 5:30 to 8:00 p.m. for six consecutive weeks. If you would like additional information about the OAAP career workshops, call Shari R. Gregory or Mike Long at 503-226-1057 or 1-800-321-6227.

<b>Apr. 5, 2012</b>	<b>Kirsten Meneghello, JD</b>	<b>Tips for a successful job search</b>
<b>May 3, 2012</b>	<b>Amber Hollister</b>	<b>Large firm attorney to governor's office to OSB Assistant General Counsel</b>
<b>June 7, 2012</b>	<b>Sarah Krick</b>	<b>Law firm to successful solo practice</b>
<b>July &amp; Aug. 2012</b>		<b>Summer Break</b>
<b>Sept. 6, 2012</b>	<b>Angela Johnson</b>	<b>Lawyer to paralegal</b>