

# Helping the Helper – A Lawyer's Guide to Compassion Fatigue



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WEBCAST

Speaker: Chris Aupperle, Director of the Nebraska Lawyers Assistance Program (NLAP)

**Chris Aupperle** is a graduate of Creighton University, earning his undergraduate degree in 1989 and his JD in 1992. Chris began his law career in private practice in Omaha, NE and eventually transitioned to in-house counsel for a national food company where he spent fourteen years practicing in the areas of property, environmental and contract law. Chris started volunteering on the NLAP Committee in 2001 and served as chair of the NLAP Committee in 2015-17. In May of 2017, Chris was privileged to be selected as the Director of the Nebraska Lawyers Assistance Program (NLAP). As NLAP Director, Chris coordinates NLAP outreach, education and services to all Nebraska lawyers, judges and law students who may be affected by stress, mental health, cognitive or substance use disorders. Chris has presented over 60 CLE's and law school outreach programs since taking over the role of NLAP Director. He also serves on the Advisory Committee for the Independence Center at the Bryan Medical Center in Lincoln.



**NEBRASKA**  
*State Bar Association*

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# Compassion Fatigue

*Presented by:*  
**Chris Aupperle**  
Director  
Nebraska Lawyers Assistance Program (NLAP)

## COMPASSION FATIGUE PRESENTATION ROADMAP



### What we will cover today...

- **What is compassion fatigue?**
- **How does it affect us?**
- **What are the symptoms and treatment.**



# COMPASSION FATIGUE



“There is a cost to caring. Professionals who listen to clients' stories of fear, pain, and suffering may feel similar fear, pain, and suffering because they care. Sometimes we feel we are losing our sense of self to the clients we serve ...”

**Charles R. Figley, PhD**

*Compassion Fatigue: Coping with Secondary Traumatic Stress Disorder in those who treat the traumatized*

“It is impossible to listen and bear witness to the traumatic experiences of trauma survivors and not be changed. ”

**Karen Saakvitne and Laurie Ann Pearlman**

*Transforming Pain: A Workbook on Vicarious Traumatization*

## LAP'S CAN HELP



- Stress/Burnout
- Work-life balance
- Anxiety
- Depression
- Alcohol/Drug Addiction
- Gambling Addiction
- Compassion Fatigue
- Cognitive Decline
- Other Mental Health Issues



## What does an LAP do?

IT  
JUST  
TAKES  
THE  
WILLINGNESS  
TO  
ASK  
FOR  
HELP

## Who we help:

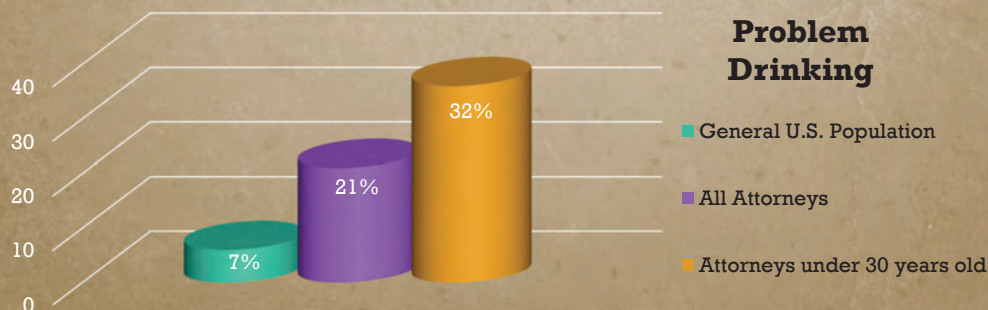
- Lawyers
- Judges
- Law Students

## What an LAP can do for you:

- **Confidential** support
- Not here to judge you, just **help you**
- **Referrals** to Health Professionals:
  - Licensed professionals
  - Treatment Options
  - Group supports
- **Peer** support – through LAP Volunteers
- Advice on **helping a colleague**
- **Educating** the profession

## LAWYER WELLBEING

	<u>Depression</u>	<u>Anxiety</u>	<u>Contemplated Suicide</u>
<b>Lawyers</b>	<b>28%</b>	<b>19%</b>	<b>12%</b>
<b>Law Students</b>	<b>17%</b>	<b>37%</b>	<b>6%</b>



**References:** Current Rates of Substance Use, Depression and Anxiety within the Legal Profession, (2016); Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns (2016).



# TREATMENT ASSISTANCE

## New NLAP Treatment Fund

- Launched in 2025
- Available to lawyers, judges and law students
- Must show financial need – streamlined process
- Can pay for alcohol/drug treatment or mental health therapy.
- Can you it to meet co-pay or deductible.



## How it works

- Contact NLAP Director for an application (submitted electronically).
- Our review committee generally meets within 24 hours of receipt of application.
- May approve up to \$1500 to pay for treatment and an additional \$3500 in no interest loan (for a combined \$5000).
- Provider must meet certain criteria and agree to receive payment directly from NLAP.

*This treatment fund is possible through the generous support of the Nebraska Lawyers Foundation.*

## COMPASSION FATIGUE

### WHAT IS IT?



**Compassion Fatigue:** the cumulative physical, emotional and psychological effect of exposure to traumatic stories or events when working in a helping capacity, combined with the strain and stress of everyday life.

Source: ABA Commission on Lawyer Assistance Programs

- Results from indirect exposure to trauma.
- May also be know as vicarious trauma, secondary trauma, or empathy fatigue.
- Differs from chronic stress or burnout.
- Untreated compassion fatigue may be a precursor to other mental health disorders.

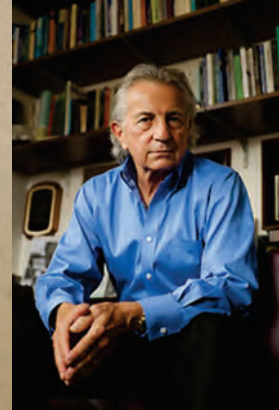
# COMPASSION FATIGUE

## WHAT IS IT?



### The Origins of Compassion Fatigue

- The term compassion fatigue was first used in the context of a study of burnout in nurses in the 1980's. Dr. Charles Figley did the early research.
- Compassion fatigue has been recognized to affect people who **work in caring professions** (e.g. paramedics, social workers, teachers, doctors, lawyers, therapists, among others).
- Studies have shown that working in a caring profession can be both highly rewarding and highly stressful.
- Individuals working in the caring professions may have environmental factors and caregiving demands that increase the likelihood of adverse psychological outcomes.



Source: Adams RE, Boscarino JA, Figley CR. Compassion fatigue and psychological distress among social workers: a validation study. *Am J Orthopsychiatry*. 2006 Jan;76(1).

# COMPASSION FATIGUE

## RISK FACTORS



### Who is at Greatest Risk?

#### Nature of Work

- Working in helping professions. Serving clients with high levels of distress.
- When your work exposes you to repeated stories and evidence of traumatic events.
- Evidence may come in the form of client and witness stories, photographs, audio and video recordings, and testimony of medical or mental health experts.

#### Organizational Factors

- Perceived lack of resources and inability to meet client needs.
- Little diversity in type of cases/areas of law.
- High caseloads; long work hours; Little support from peers – isolation.
- Lawyers working in the areas of criminal, family, juvenile and immigration law.

#### Personal Factors

- Prior personal trauma experienced by attorney.



# COMPASSION FATIGUE

## WARNING SIGNS



### S y m p t o m s

#### Impacts on how we feel

- Feeling overwhelmed and physically and emotionally exhausted.
- Having disturbing images from cases intrude into thoughts and dreams.

#### Affecting our perception of the world

- Becoming pessimistic, cynical, irritable, and prone to anger.
- Viewing the world as inherently dangerous and becoming increasingly vigilant about personal and family safety.

#### How we relate to others

- Becoming emotionally detached and numb in professional and personal life; experiencing increased problems in personal relationships.
- Withdrawing socially and becoming emotionally disconnected from others.

# COMPASSION FATIGUE

## WARNING SIGNS



### S y m p t o m s

#### Affects the way we practice law

- Becoming demoralized and questioning one's professional competence and effectiveness.
- Perceiving the resources and support available for work as chronically outweighed by the demands.
- Having client/work demands regularly encroach on personal time.

#### Affects our Physical Health

- Sleep disturbance (too much, too little, restlessness)
- Headaches and unexplained aches/pains.
- Gastrointestinal difficulties.
- Secretive self-medication/addiction (alcohol, drugs, work, sex, food, gambling, etc.) to cope with life.



# COMPASSION FATIGUE RESEARCH



## What Research has been conducted?

**Levin, Albert, et al (2011)** – Examined the occurrence of vicarious or secondary trauma in lawyers working with traumatized clients.

Examined the affects of secondary trauma on public defenders and their staff in Wisconsin.

- Distress significantly correlated with hours worked per week and number of trauma-exposed clients.
- **39.5%** demonstrating significant symptoms of depression.
- **11%** with clinically significant PTSD symptoms.
- More than **1/3** were experiencing significant levels of secondary trauma stress and burnout.
- **75%** experiencing some level of functional impairment.



# COMPASSION FATIGUE RESEARCH



## What Research has been conducted?



**Jaffee, Peter, et al (2003)** – studied vicarious trauma in 105 judges, who handled criminal (80%), domestic (54%) and juvenile cases (30%).

- **63%** of Judges reported one or more symptoms of vicarious trauma.
- The symptoms included:
  - Mental:** Lack of concentration
  - Physical:** Fatigue • Loss of appetite • Sleep disturbance
  - Emotional:** Anger • Lack of empathy • Cynicism • Irritability
  - Mental Health:** Flashbacks • Anxiety • Depression • Sense of isolation
  - Spiritual:** Losing faith in God or humanity • Feelings of hopelessness

# COMPASSION FATIGUE RESEARCH



## What Research has been conducted?

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- **Male judges** tended to **externalize** difficulties (e.g. strong negative emotions like anger, cynicism, frustration).
- **Female judges** tended to **internalize** difficulties (e.g. anxiety, depression) more than male judges.
- Judges of **both genders** with more experience turned to increasingly **externalize** difficulties.
- Factors cited by Judges contributing to compassion fatigue:
  - Isolation (lack of debriefing consultation on cases)
  - Workload (hours worked, lack of balance between work and non-work life, lack of time to make good decisions).
  - Prior personal traumatic experience.

# COMPASSION FATIGUE TREATMENT & PREVENTION



## Compassion Fatigue – Self Care

**How we  
approach  
our work**

Awareness

Know your  
limits

**How we take  
care of  
ourselves**

Healthy Stress  
Management

Sleep, Diet,  
Exercise

**How we  
process our  
experiences**

Mindfulness &  
Meditation

Debriefing &  
Reflective  
Practice

**Disconnection  
from Work**

Strong Social  
Network

Non-Work  
Activities



# COMPASSION FATIGUE

## PREVENTION AND TREATMENT



### Employer/Organizational Solutions:

- Diversity of cases.
- Working on a team – avoiding isolation.
- Supervision/support/resources.
- Acknowledge and Discuss.
- Trauma Informed Training.
- Don't forget staff.



# COMPASSION FATIGUE

## RISK FACTORS



### Compassion Fatigue – Getting Professional Help

When self-care isn't enough, seek professional help through a licensed mental health practitioner who has experience in treating compassion fatigue and related conditions.

Don't know where to go for help?  
Call your lawyer's assistance  
program for more information.



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# COMPASSION FATIGUE

## PREVENTION AND TREATMENT



### Helping Advice

#### 1. Ask

- Do not argue or cross examine
- Focus on signs and symptoms
- Pause to allow them to speak

#### 2. Listen

- Don't assume you know the problem
- Nonverbal is important too

#### 3. Refer

- Identify help resources
- Do not diagnose but refer to professional for assessment

#### 4. Encourage

- It's a process, be patient
- Balance accountability and support

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visit [www.nebar.com/NLAP](http://www.nebar.com/NLAP)

Help for  
Yourself,  
Get Help for  
Someone Else