

Secondary Trauma in the Legal Profession

Presented by Anne Haag
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The Science of Trauma

Trauma is defined by the American Psychological Association as:

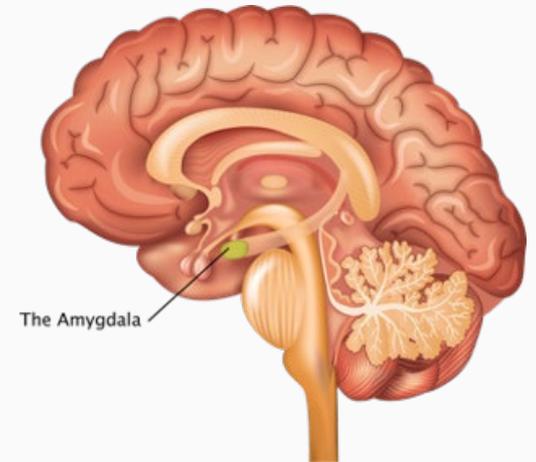
“An emotional response to a terrible event like an accident, rape, or natural disaster.”

Trauma and the Brain

During a traumatic event, the Amygdala releases some combination of 4 hormones:

- Catecholamine (*primes the response*)
- Corticosteroids (*makes energy available to respond*)
- Opioids (*prevents pain*)
- Oxytocin (*promotes positive feelings to counteract*)

Different combinations yield different responses



Types of Trauma

Acute:

- Results from a single stressful or dangerous event

Chronic:

- Results from repeated or prolonged exposure to highly stressful events

Complex:

- Results from exposure to multiple traumatic events

Post-Traumatic Stress Disorder

“Post-traumatic stress disorder (PTSD) is a mental health condition that’s triggered by a terrifying event – either experiencing it or witnessing it. Symptoms may include flashbacks, nightmares and severe anxiety, as well as uncontrollable thoughts about the event.”

- Mayo Clinic

Trauma Responses

Fight:

- Become aggressive

Flight:

- Run or flee the situation

Fawn:

- Immediately moving to try to please a person to avoid any conflict or further abuse

Freeze:

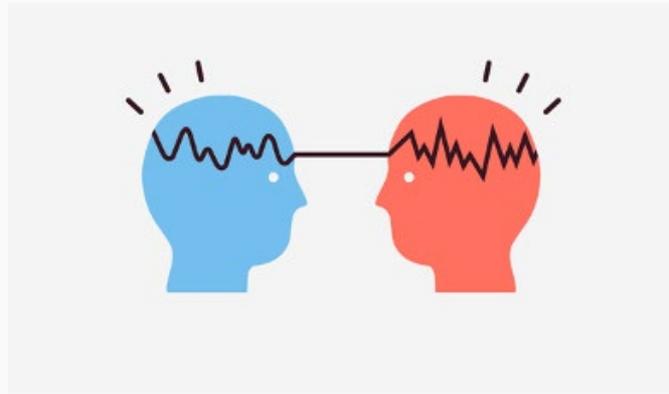
- Become incapable of moving or making a choice
- Might disassociate or feel paralyzed

Secondary Trauma

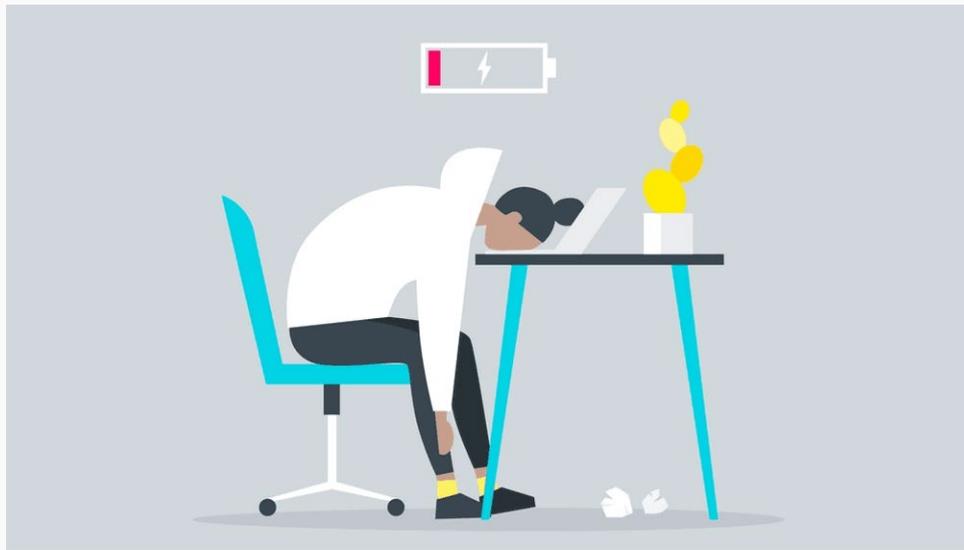
Mirror neurons + nature of the profession for both attorneys and their clients



Legal professionals are prime candidates for ST



Symptoms of Secondary Trauma



Triggers

Definition: reminder of traumatic event that can reactivate the amygdala's trauma response

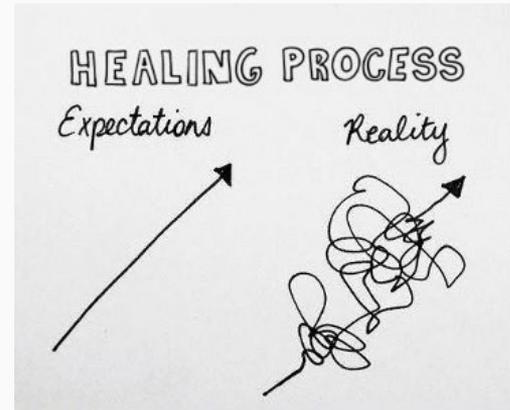
Potential triggers in the lawyer/client relationship:

Triggers for clients: Loss of control; Lack of transparency; overwhelming process; feeling not heard or believed

Triggers for attorneys: client mistrust; client suspicion; client accusations; client anger; client failure to meet obligations

Factors that Influence Recovery

- Personality
- Support system
- Other existing life problems
- Prior trauma
- *Experiences of victim blaming, shaming, doubt, or denial from systems the victim may turn to for help*



Trauma in the Legal Profession

Professional Risk Factors

Job characteristics that increase risk for ST:

- Repetitive interpersonal contact with traumatized clients
- “Giving” roles may lead to lack of boundaries with clients and colleagues
- Long hours and often grueling work in competitive environment
- Profession encourages controlling behavior
- Lack of training in active listening and psychology

Legal Triggers:

Things that may trigger your clients:

- Meeting with you and your staff about their case
- Direct questioning about events
- Seeing the perpetrator or objects that serve as reminders of them
- The absence of privacy in litigation
- Feeling “kept in the dark”
- Expressions of anger or aggression
- Humor

Other Complicating Factors

- Victims or their families blamed for harm they experience
- Poor memory, inconsistent accounts of events
- Legal system is not victim-friendly, e.g. trial testimony, depositions, delay
- Victim may have to share space with perpetrator in court or elsewhere
- Victim may not be ready to move on from the situation/may change mind
- Victim health status and medication use
- Victim may avoid therapy, even though it would help the case

Trauma-Informed Care for Yourself & Your Clients

The Four Rs of Trauma-Informed Care



This figure is adapted from: Substance Abuse and Mental Health Services Administration. (2014). SAMHSA's concept of trauma and Guidance for a trauma-informed approach. HHS publication no. (SMA) 14-4884. Rockville, MD: Substance Abuse and Mental Health Services Administration.

Strategies to Use with Clients

- Practice and perform non-judgment
- Be honest and explain why you are being honest/frank
- Be aware of your body language and body proximity (don't touch without consent)
- Give client your undivided attention
- Accept and don't take personally your client's wide range of emotions
- Choose words carefully
- Read client's body language and respond accordingly
 - Take breaks
 - Make sure client is hydrated, fed
 - Avoid overwhelming with too much information at once

Strategies to Use with Clients

- Protect the client:
 - From being in same room with perpetrator
 - From seeing documents with triggering allegations or psychological information
- Have documents that explain what client can expect from the matter and what will be expected of them
- Give realistic timelines - an infographic is ideal, explaining stages of a case
- Have staff trained in how to work with victims
- Have systems in place to keep client up to date with happenings, share the level of documents they wish to receive

Safety Planning

Safety Planning List

Here are some helpful items to get together when you are planning on leaving an abusive situation. Keep these items in a safe place until you are ready to leave, or if you need to leave suddenly. If you have children, take them. And take your pets, too (if you can).

Identification for yourself and your children

- birth certificates
- social security cards (or numbers written on paper if you can't find the cards)
- driver's license
- photo identification or passports
- welfare identification
- green card

Important personal papers

- marriage certificate
- divorce papers
- custody orders
- legal protection or restraining orders
- health insurance papers and medical cards
- medical records for all family members
- children's school records
- investment papers/records and account numbers
- work permits
- immigration papers

- rental agreement/lease or house deed
- car title, registration, and insurance information

Funds

- cash
- credit cards
- ATM card
- checkbook and bankbook (with deposit slips)

Keys

- house
- car
- safety deposit box or post office box

A way to communicate

- phone calling card
- cell phone
- address book

Medications

- at least 1 month's supply for all medicines you and your children are taking, as well as a copy of the prescriptions

A way to get by

- jewelry or small objects you can sell if you run out of money or stop having access to your accounts

Things to help you cope

- pictures
- keepsakes
- children's small toys or books

Strong Routines & Care Practices

Eat, sleep, exercise, socialize

Limit exposure to difficult people

Forgive your mistakes

Get help when needed

Play!



Thanks!

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