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MINDFULNESS, COMPASSION FATIGUE, AND THE UN-INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

By Scott Rogers ▶ Special to the News ▶ Columns

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The demands placed upon lawyers and that lawyers place upon themselves to excel and win can lead to professional fulfillment and, when pressure mounts, can become overwhelming and depleting. For many lawyers, the intellectual rigors of practice, which involve reading, analyzing, strategizing, drafting, reviewing, and arguing make up much of the landscape of law practice. It is, however, but a partial view. For the heart of our work as legal professionals often touches the heart of who we are as human beings in ways we may not always appreciate, owing to the relentless drive to do well, win, and help solve *other* people's problems.

Justice Oliver Wendell Holmes, Jr., reminds us that the life of the law is not logic, but experience — an insight that runs deeper than even he may have realized. As systemic concerns over lawyer health and well-being take center stage, we are all encouraged to take stock and take action to attend to self-care and the quality of our emotional lives.

COMPASSION FATIGUE

This month's column explores an area of increasing concern in the law known as compassion fatigue. If the term is new to you, compassion fatigue, also known as vicarious trauma and secondary traumatic stress, refers to the cumulative emotional, physical, and psychological toll of ongoing exposure to emotionally charged experiences.

These experiences can include the traumatic stories we hear and images we see, along with interactions with anxious, despairing, and angry clients, colleagues, and counterparties. Importantly, compassion fatigue is different than burnout (brought on by the intensity of workload stress), though the two can co-exist. Fortunately, compassion fatigue is treatable, and appreciating its tell-tale signs can help inform action to ameliorate its impact on well-being, productivity, and health.

SIGNS OF COMPASSION FATIGUE

- Feeling overwhelmed, helpless, or depleted
- Becoming emotionally numb and detached
- Having difficulty sleeping, headaches, and weight loss
- Experiencing disturbing memories and images, while awake and when dreaming
- Inclined to anger, irritability, and worry
- Withdrawing socially, at work and home
- Loss of interest in activity once enjoyed
- Harboring feelings of self-doubt, guilt, and self-contempt
- Seeking escape through alcohol, drugs, work, sex, food, and other potential objects of addiction
- Loss of purpose and job satisfaction

Many of these symptoms may be experienced periodically and dissipate. However, if you experience them over time, and regularly work in a helping or healing capacity or in an emotionally charged environment, they may indicate compassion fatigue. The ABA reports that lawyers are especially susceptible to compassion fatigue if they practice in areas like criminal, family, or juvenile law, which can involve visiting accident scenes, viewing graphic evidence, listening to victims' stories, and dealing with reports of trauma and victimization. As caring human beings with shared experiences and the capacity to empathize with those who are suffering, it is important to be attentive to the emotional residue that we all can pick up from our work.

WHAT YOU CAN DO

One of the most agreed-upon treatments for compassion fatigue is self-care. While the importance of self-care is probably a familiar refrain, implementing it in our lives can be challenging owing to feelings of not enough time, that it is a sign of weakness, or misconstruing what constitutes self-care. Without question, engaging in self-care — especially activities you enjoy — can be beneficial. These include:

- Exercise
- Sleep
- Relaxation

- Nutritious eating
- Journaling
- Creative activities
- Meditation
- Prayer
- Being in nature
- Therapy
- Mindfulness practice
- Social connection

Mindfulness practice is included in most lists of self-care yet stands apart in one notable way. Many forms of self-care are an explicit part of daily life, *e.g.*, sleeping, eating, and exercise whereas practicing mindfulness is often regarded as a “nice to have,” and avoiding practice can be too easily justified on the basis of not having enough time. On this point, attorney Paul Singerman suggests that if you don’t think you have five minutes to practice, you probably should practice for 10. Additionally, practicing mindfulness is not only useful as an end in itself, but it also helps to establish a steadier state to be able to execute on self-care plans that can prove elusive.

A NEW CAUSE *FOR* ACTION AND AVENUE *FOR* RELIEF

A little mindful awareness allows us to more readily notice when we are not quite ourselves, and to pause and check for signs of compassion fatigue. Doing so may sometimes result in an unexpected wake-up call. In many ways, our empathy and compassion coupled with our motivation to help others who are suffering can lead to the *un-intentional infliction of our own emotional distress*. It is a cause *for* action and there are steps we can take to find relief and feel better.

A TAKING A S.T.E.P IN THE DIRECTION OF MINDFULNESS AND SELF-CARE

As we close this article, we can together take a S.T.E.P. in the direction of mindfulness and self-care with a short practice. The instruction is to:

- Stop
- Take a Breath, Aware of the Breath
- Expand Awareness

- Proceed

Even now you can practice.

“Stop” or slow and form the intention to take a few moments to practice mindfulness; you are reminding yourself that you are here.

“Take a Breath” bringing awareness to the sensations of the breath flowing through your body.

“Expand Awareness” beyond these words, or whatever has the lion’s share of your attention in the moment and take in the larger field of your present-moment experience. See what is before you and off in the distance, listen for sounds near and far, feel the temperature and movement of the air, notice aromas.

“Proceed,” carrying on with your day — perhaps bringing a little of what you cultivated through this short practice into the moments that follow.

THE INTENTIONAL INFLICTION OF EMOTIONAL DE-STRESS

Short intentional practices like S.T.E.P and its popular cousin, [S.T.O.P.](#) are easy and accessible ways to cultivate a little mindful awareness, and to perhaps experience a little calm. Many [popular mindfulness practices](#) are merely longer variations of them.

If you should ever find that you have set aside time for self-care yet are feeling some resistance and are avoiding doing so, you may find a few minutes practicing S.T.E.P helps you more easily shift gears to engage in the much needed self-care. In this way, practicing mindfulness and engaging in self-care involve the Intentional Infliction of Emotional Destress.



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