“Secondary trauma and burnout in lawyers and what to do about it”

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Secondary trauma and burnout are occupational risks for lawyers and other legal personnel, including judges, interpreters, court reporters and courtroom clerks. The professional's risk of secondary trauma and burnout are frequently addressed in other helping professions. Until recently, however, there was minimal discussion, research or literature about these problems in the legal field.

Increased awareness and interdisciplinary collaboration have yielded studies and articles on the effects of both maladies on legal professionals, along with suggestions for coping with and preventing them. Law schools and legal organizations are beginning to provide education and training on recognizing and coping with secondary trauma and burnout.

What is trauma and secondary trauma?

Psychological trauma refers to experiences where a person suffers or witnesses death or serious physical, sexual or emotional injury. Such an experience, or repeated experiences, can leave the sufferer with feelings of fear, hopelessness, horror, anger and rage. A trauma survivor might experience sleep disturbances, changes in memory, difficulty concentrating, distrust, hyper-arousal - a feeling of being in danger at any moment - and detachment from others and from daily life.

Secondary trauma (also called "vicarious trauma" or "second-hand shock") occurs when thoughts about a client's or litigant's experiences begin to intrude on a professional's daily life. Particularly at risk are professionals who are working with or exposed to the stories of crime victims and survivors of torture, domestic violence and abuse. Legal professionals exposed to others' traumas might internalize and experience the trauma survivor's feelings of fear, hopelessness, horror, anger or rage.

In one case study of law students working in a clinical immigration program, one student described becoming a "sponge," soaking up her client's ordeal, and feeling "exhausted," "bitter" and "upset."1

Consciously or unconsciously internalizing clients' traumatic experiences can change a lawyer's perception of the world, including whether it is a safe place, and the ability to trust others. Lawyers might begin to feel numb or experience hyper-arousal. Exposure to clients' trauma narratives might induce nightmares about clients' experiences or avoidance of things that remind one of those experiences. Lawyers might find themselves either over-identifying with clients or, conversely, shutting down emotionally; both responses interfere with effective legal representation. If a professional has experienced trauma in their own life, exposure to others' trauma details might trigger or re-trigger the professional's own trauma memories.
What is burnout?

While secondary trauma and burnout are different, repeatedly experiencing others' trauma can contribute to feelings of burnout. Burnout is a depletion of energy, motivation and enthusiasm that tends to be caused by long hours; heavy workloads; workplace conflict; repeated exposure to others' stress, anxiety and trauma; and inadequate returns on one's work investment.

In one study, judges experiencing burnout complained of headaches, hypertension, depression, insomnia and disillusionment. Another study cites fatigue, irritability, hopelessness, aggression, cynicism and substance abuse as additional responses to burnout in lawyers. Burnout can negatively affect a person's sense of his or her own worth and competence.

What can legal professionals do about secondary trauma and burnout?

The first step is maintaining conscious awareness of the reality and effects of secondary trauma and burnout.

The second step is the willingness to engage in self-care. Margaret Drew, a lawyer and clinical law professor, aptly advises, "Short term solutions are essential for getting through the day. The longer term tools and techniques are essential for getting us through life."4

There are many easy-to-learn self-care practices to ease daily stress. Some are visualization, breathing, relaxation and grounding techniques that can be accomplished in one minute or 10. They can be practiced separately or in combination, and can be customized to reflect individual preference and situational practicality.

Debriefing with colleagues can help move the day's stress and absorbed trauma out of one's mind-body. Leaving work and engaging in enjoyable activities and time with loved ones and friends helps put work challenges in perspective.

Longer term solutions involve taking time on a regular basis to reflect on one's professional goals and choices, and how these fit with one's values, temperament and non-work life. Creating healthy balance involves exercising the courage to make suitable choices about one's area of law, number of hours to work and work-setting tenor.

Self-care, both long- and short-term, allows legal professionals to be more available, revitalized and able to assist those who rely on them and their expertise. Finally, recognizing when one is depleted, lost and in need of professional help, and seeking it out, is the ultimate in self-care and in honoring one's life and work.

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3 Levin, A.P. "Secondary Trauma and Burnout in Attorneys: Effects of Work with Clients Who are Victims of Domestic Violence and Abuse"