



2018

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Recommended Citation

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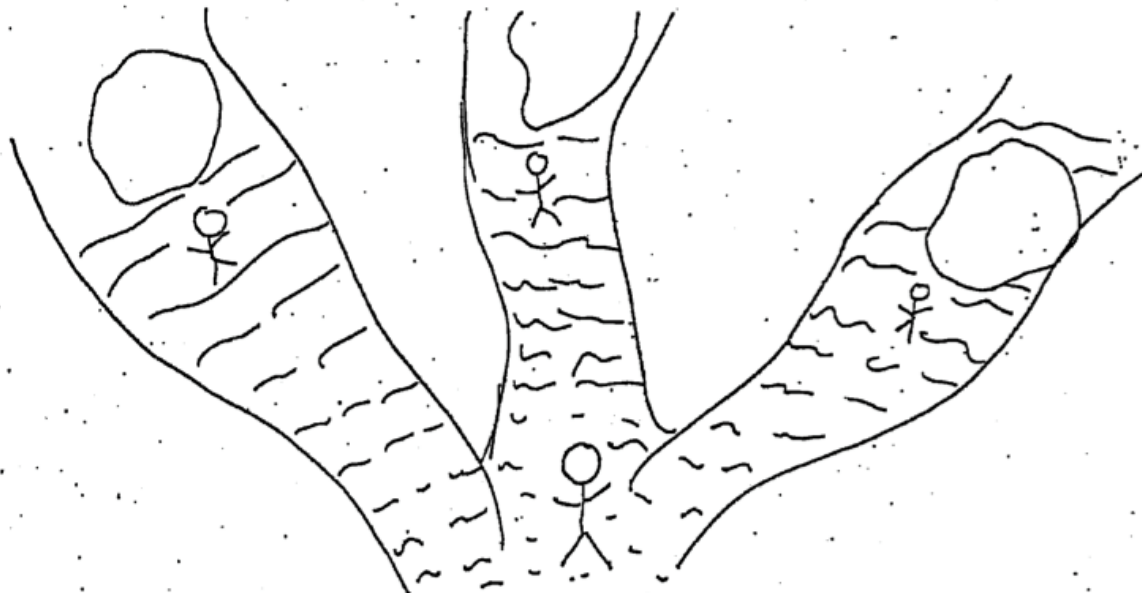
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IDENTIFYING AND ADDRESSING VICARIOUS TRAUMATIZATION

For LSO Students

Jean Koh Peters



THE RAGING RIVER

Stress: a disruptive interaction between environmental demands on the one hand, and the needs and skills of the individual on the other.

Burnout: an emotional exhaustion, de-personalization, and reduced accomplishment that can occur among individuals who do "people work" of some kind.

Trauma (DSM V):

Exposure to actual or threatened death, serious injury, or sexual violence in one (or more) of the following ways:

1. Directly experiencing the traumatic events.
2. Witnessing, in person; the event(s) as it occurred to others.
3. Learning that the traumatic-event(s) occurred to a close family member or close friend. In cases of actual or threatened death of a family member or friend, the event(s) must have been violent or accidental.
4. Experiencing repeated or extreme exposure to aversive details of the traumatic event(s) (e.g., first responders, collecting human remains; police officers repeatedly exposed to details of child abuse).

Trauma (Pearlman):

- 1) is sudden, unexpected, or non-normative
- 2) exceeds the individual's perceived ability to meet its demands, and
- 3) disrupts the individual's frame of reference and other central psychological needs and related schemas.

Secondary Trauma: the natural consequent behaviors and emotions resulting from knowledge about a traumatizing event experienced by a significant other.

Counter-transference: the package of emotions and reactions that a lawyer has to any *individual* applicant

Vicarious Traumatization: the transformation in the inner experience of the lawyer as a result of empathic engagement with survivor applicants and their trauma material.

Principles for Lawyers Coping with Vicarious Trauma

1. Acknowledge the ethical obligation to identify and address impairments to quality representation, such as stress, burnout, and vicarious traumatization as part of the lawyer's ethical obligations.

Keep in mind the operation of trauma symptoms: the alternation between numbing reactions, on the one hand, and intense, strong feelings, on the other.

Understand how the signs of stress and vicarious traumatization build one's occupational hazard profile.

Examples of Daily Signs of Vicarious Trauma: Law Student Interns and Attorneys reported that they...

- Stop watching or reading the news;
- Wonder how you can carry on your daily life when your client's life has been completely disrupted by trauma;
- Stop exercising (or over-exercise);
- Stop going out with your friends or socializing as you used to;
- Consider a different, "more detached" career path;
- Worry (excessively and more than before) about low-likelihood events (such as plane crashes, violence, etc.);
- Feel sad, depressed or otherwise out of sorts;
- Are unable to feel anything, or feel like a robot;
- Have trouble sleeping or staying asleep;
- Watch much more television than before;
- Feel numb and end up mindlessly playing video games for hours at a time;
- Avoid television shows and movies that depict violence or feel increasingly stressed by displays of fictitious violence when you do see them;
- Neglect other hobbies or things you do to care for yourself;
- Drink alcohol when feeling overwhelmed;
- Feel distant from or angry at your loved ones, especially feeling like they can't understand what's going on because you can't talk to them about it;
- Have more dreams and/or nightmares, feel like you can't 'shut off' your brain;
- Be afraid of things happening to your loved ones;
- Use drugs and alcohol to escape, stay awake, or feel better;
- Feel a low but constant state of anxiety;
- Feel uncharacteristically impatient with their colleagues and friends.

2. Put to good use in your representation those aspects of empathy and vicarious traumatization that link you to your client's experience.

Use your concrete experiences of empathy with the client to improve your representation.

Sometimes your client's trauma can be the most dramatic example of the differences between yourself and your client. You can never understand torture without having

undergone it, but you can do your best to understand how the torture or trauma is affecting your client now in order to make the legal case as low-stress or low-trauma as possible for your individual client.

3. Address the signature negative effects of vicarious traumatization through reintegration of self, re-connection to others, and reaffirmation of meaning.

Take your own advice! Do the same things for yourself that you would love to see clients, their families and your colleagues do.

Remember the Basics:

- Sleep
- Nutrition & Hydration
- Breathing & Relaxation
- Exercise
- Time Off/Recreation
- Creating a comfortable space for yourself at home and work.

In seeking fun and recreation, look for activities that give you deep satisfaction and balance out the experiences at work, as opposed to numbing activities which may replicate the experience at work.

Examine and strengthen your connections to yourself, people at work, and your larger communities.

The confidentiality requirement means that you will have to keep the source of any stress or vicarious traumatization to yourself. Have a talk with a close friend or loved one if they aren't used to this – explain the confidentiality requirement and talk about ways you can express emotions (frustration, worry, stress, vicarious trauma, etc.) without revealing the source of those emotions.

Keep control of or reconstruct your daily schedule: integrate a routine of self-care, proactive strategies that work, and commitments beyond work into daily life.

Create time for your usual hobbies, and don't let yourself "cancel" (even if it's an activity you do alone) unless it is a real emergency or deadline situation. Don't cancel without specifically "rescheduling."

Remember that vicarious traumatization is a process, not an event. Be prepared to address vicarious traumatization on an ongoing basis.

Sometimes, the "easiest" cases may make you feel the most upset. Be patient with yourself, recognize that you are taking on a lot of stress in order to represent your client, and cut yourself some slack. Not usually a cryer? Maybe you need to let yourself cry. Snap at a loved one or let yourself down? Apologize, assess why things got to that point, and let yourself off the hook. At least once or twice!

Special Vicarious Trauma Risk Factors for Clinic Students

It's all so new!

Concerns about lack of experience and/or knowledge

Creating a healthy attorney-client relationship

Worrying about not doing a thorough job in preparing case materials

Meeting inflexible legal deadlines

The stakes are so high!

Taking on a tremendous amount of responsibility

Knowing that you are dealing with situations that involve real lives

Anxiety about being a key player in affecting the outcome of the case

Feeling like a failure if you are not successful in the outcome of the case

Overwhelming feelings of guilt: you are a short-term actor in your client's life, you are so comparably fortunate, you feel like you have to save the world

Difficulty sorting through credibility, especially as complicated by trauma, culture and language

Frustration with clients who don't give you enough information

Frustration when your role doesn't allow you to 'fix' everything that's wrong

I'm constantly shifting between worlds!

It can be jarring to go from clinic to the rest of life and back again

Contrast between clients' experiences and students' experiences can be tremendous

Guilt about your own emotions—How can I feel sad, tired, upset, overwhelmed, etc. when my client has been through so much?

Identifying with some of the client's experience can further complicate your emotions. (i.e. coming from similar countries or cultures, undergoing your own trauma, resettlement, etc.)

Cultural barriers, including language and culture, can contribute to a lack of clarity about the case and other problems.

Maintaining boundaries in the attorney-client relationship, particularly when your clients may be close in age or even have similar experiences to your own.

The duty of confidentiality increases the burden!

A sense of isolation from supportive loved ones outside of work.

Difficulty sorting through the effects of the work when you can't share the details of painful cases with friends, counselors, etc.

Some Special Coping Mechanisms Available to LSO Students: Some Ideas from Other LSO Students

Your colleagues are friendly and happy to help!

Other LSO students are all your colleagues. Especially important: your officemates or case collaborators (talk about what's hard for you if you're comfortable! You're each other's best allies); other students you know in the clinic; and people you find in the LSO basement at just the right time.

Your faculty supervisors have an open-door policy.

You can talk about the emotional side of lawyering in supervision or one-on-one with your faculty supervisor at another time. They've been there, helped a thousand students who have been there, and are happy to help.

Go to class!

It sounds silly, but maintaining your other obligations may help more than you expect it to. Yes, class lacks the sense of urgency that your case has, but it's still important for you. It's also important to remember that you're being introduced slowly (even if it feels like a ton!) with just a couple cases. It's not a full-time job, and it's not meant to be one. Sometimes, you do have to turn it off.

Take time to do things you love to do.

Running, yoga, crafts, baking, listening to music, seeing great movies, taking time out—you do it for yourself and your clients.