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How Trauma-Informed Firms Can Help Attorney Mental Health

By **Sarah Martinson** | April 1, 2021

Law firms can reduce high levels of stress, burnout, depression and substance abuse in attorneys and boost employee retention by offering trauma education training and services for dealing with trauma, experts say.

Attorneys in almost all practice areas, including family law, personal injury, mass tort, product liability, employment and energy, can experience secondary trauma through their work with trauma victims, Jamie Beck told Law360 Pulse. Beck is an attorney and the founder of Free to Thrive, an organization that provides legal and support services to human trafficking survivors and training to attorneys who want to represent survivors.

While encountering trauma victims might be routine for some attorneys, like prosecutors or public defenders, contact with survivors of traumatic events can be found throughout the legal industry, and hearing or reading stories of traumatic events can have a negative impact among various legal workers.

"Most lawyers who work with people actually do work with trauma victims, whether they realize it or not," Beck said.

Encountering Trauma

Trauma is defined broadly as an experience that can cause psychological

injury, and can include events from sexual and physical assault to car crashes or natural disasters.

In employment law, attorneys may encounter trauma victims if they are defending executives who have been accused of sexual harassment or assault, Beck said. Or in environmental and product liability law, lawyers may interact with trauma victims if they are defending companies accused of polluting neighborhoods with hazardous chemicals, she said.

Even if attorneys believe their clients are innocent, hearing victims' stories about abuse or injuries can still be traumatizing, Beck said.

"Just because you're arguing against it or you're denying it happened, doesn't mean you're not hearing those stories, and the whole idea behind vicarious trauma is you hear something traumatic that happens and it affects you as if it happened to you," she said.

Trauma-informed care is an approach where service providers who understand trauma and how it affects human behavior take steps to help trauma sufferers, according to the [U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration](#).

Trauma-informed care was first used in primary education and health care to address trauma in students and patients, but the approach has made its way into law enforcement and law firms that work with victims of sexual abuse and assault, according to Laura McGuire, a trauma-informed care specialist.

McGuire, who is the CEO of the National Center for Equity and Agency, an organization that offers trauma-informed care training to educators, health care professionals and lawyers, said attorneys and their legal staff can benefit from trauma-informed care as much as sexual assault survivors because they experience a great deal of vicarious trauma in their work.

"Anyone working in the legal field [is] often going to be experiencing vicarious trauma," she said.

A Variety of Symptoms

Vicarious trauma, also referred to as secondary trauma, is a negative reaction to secondhand exposure to traumatic events through case files, videos and victims' testimony. Some symptoms of secondary trauma include fatigue, difficulty concentrating, hopelessness, increased irritability and depression,

according to the [U.S. Department of Justice](#)'s Office for Victims of Crime.

Research on vicarious trauma in attorneys and their legal staff is limited, but a 2011 study found that more than 70% of 238 attorneys in the [Wisconsin State Public Defender Office](#) were experiencing vicarious trauma symptoms that were interfering with their work. Of those 238 attorneys, nearly 40% reported experiencing depressive symptoms, according to the study.

Attorneys' administrative support staff also reported symptoms of vicarious trauma and depression, but at a lower rate because they worked fewer hours and had less exposure to clients' trauma history, according to the study.

One of the reasons law firms haven't taken steps to create trauma-informed workplaces is because they don't realize the high levels of stress, burnout, depression and substance abuse in attorneys are related to secondary trauma, Beck said.

Beck, who used to work at the corporate law firm [Procopio Cory Hargreaves & Savitch LLP](#), said she didn't realize she was experiencing vicarious trauma from her work with sexual assault survivors until she attended a training session and saw a presentation slide that listed the symptoms.

"When I looked up at that slide, I was like, 'Oh my god, I am having all of these symptoms,'" she said, adding that "each thing alone isn't a huge deal, but then when you put them all together, they have a massive impact on your emotional and mental wellbeing."

Beck said she knows now when she gets snappy or is having trouble sleeping, she is experiencing vicarious trauma and needs to take time for self-care.

Trauma-Informed Services and Training

At Beck's organization, she has created a trauma-informed workplace by giving her employees training in vicarious trauma, having weekly mindfulness sessions on Fridays, doing emotional check-ins and sharing work success stories to lift up the team and remind them of the positive impact they are having on their clients' lives.

Beck's organization also has a policy where employees can take time off for self-care with no questions asked. So if employees have a court hearing involving a traumatic case, they can take the next day off for self-care, Beck said.

"It's so much better for everybody's wellbeing and sustainability, if you give people that time," she said. "A day off here and there is so much more economical for your firm than losing that person entirely because they burnt out."

McGuire said the first step law firms can take to implement a trauma-informed workplace is to train their attorneys about what vicarious trauma is and how it affects human behavior.

One of NCEA's clients is Milestone Consulting LLC, a settlement management firm that works with sexual assault survivors. Milestone attorney Sam Dolce said vicarious trauma training has been beneficial for his company's clients as well as its staff.

"The majority of people in the world have gone through some form of trauma, but attorneys are generally working with people who experienced a high degree of trauma, and being able to communicate effectively is really important," Dolce said.

After law firms train their staff, the next step to creating a trauma-informed workplace is much harder, according to Dolce and McGuire.

Law firms must change their culture so employees feel comfortable being open about how their work is impacting their mental health and taking time off for self-care, they said.

Attorneys feel a lot of guilt about taking time off because law firms encourage them to work hard and bill as many hours as possible, Beck added.

"If you're running a law firm and you're concerned about losing younger associates to either burnout or to other law firms, establishing a trauma-informed workplace is one of the best ways to boost retention of employees," Dolce said.

--Editing by Marygrace Murphy and Sarah Golin.