

## YOUNG LAWYERS

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# COMPASSION FATIGUE: DO LAWYERS CARE TOO MUCH?

**“If you want others to be happy, practice compassion. If you want to be happy, practice compassion.”**

— Dalai Lama XIV, *The Art of Happiness*

Many years ago, when I decided to go to law school, I was often asked why I wanted to become a lawyer. My answer was always the same: I wanted to help those who could not help themselves. I thought I knew what that meant, and I considered myself to be a compassionate person; but until I was truly immersed in representing clients, particularly those who are suffering, I did not understand the emotional baggage that can come with that compassion. Yes, compassion and caring are fulfilling, and no, lawyers do not care *too much*; but in order to have compassion for others, we must also have compassion for ourselves.

Compassion fatigue is the effect of constant exposure to traumatic stories or events when working in a helping capacity. The often-relentless inundation with other people's

suffering can result in physical, emotional and psychological impacts, especially when combined with the stress of everyday life at home and at work. Compassion fatigue is different from burnout, which is caused by everyday work stresses that people of all professions can experience. Compassion fatigue is the result of taking on the emotional burden of other people's suffering.

Compassion fatigue can affect many professions. Think of first responders, health care workers, social workers, therapists — and the list goes on. Particularly over the past couple of years, nurses and other health care workers have not just been experiencing burnout as a result of the COVID-19 pandemic, but many have also been experiencing compassion fatigue. Compassion fatigue can occur when

over-exposure to trauma and suffering begins to affect your physical and mental well-being outside of work.

The practice of law is often defined by compassion. Lawyers are motivated by their desire to help others. When we see someone suffering, it is our compassion that drives us to help and right the wrongs of the world. Many people have sympathy and empathy for victims of suffering, but lawyers are among those who are driven to do something about it. Lawyers take action.

Research suggests that judges, lawyers and legal professionals are at an increased risk for developing compassion fatigue, depression and anxiety. While our work is rewarding, the practice of law is uniquely stressful and demanding. Many of us decided to go to law school because we had a passion for justice

and helping people. While the legal profession may not present as a traditional “helping” profession like we often think of social workers, nurses or first responders, the reality is that lawyers are typically serving others in a helpful capacity. Clients seek legal counsel when they are in distress or have a problem. Those problems can range from minimal suffering to trauma, and some lawyers find themselves dealing with the latter on a daily basis.

Lawyers in certain practice areas may be particularly susceptible to compassion fatigue. Those practicing criminal or family law are routinely exposed to trauma and are required to listen to victim stories, read reports of traumatic events, view crime scenes and study graphic evidence. Attorneys today may find themselves focusing their practice on one or two specific areas. This results in an attorney dealing with a high volume of the same type of client issues on a daily basis, making them more susceptible to compassion fatigue. For example, a public defender constantly deals with indigent clients either being prosecuted for a crime or at risk of losing their children. Social security disability lawyers often have hundreds of cases open at one time. With continual exposure to the same type of client distress day in and day out, the difficult days can begin to overwhelm the good days; and a lawyer can easily find themselves deep in the throes of compassion fatigue.

Some signs that can indicate that you or a colleague may be suffering from compassion fatigue include mood swings, detachment, addiction, anxiety, depression, insomnia, anger or low productivity, or physical symptoms such as exhaustion, digestive issues or headaches. It is exceedingly important to practice self-care in order to avoid compassion fatigue. This includes taking time away from work, staying active, eating right and getting sufficient rest.

Lawyers are often reluctant to take time away from work because there is always a client in need and time is money. However, regular vacations or staycations are important to maintain good mental health. Young lawyers in small practices in particular are often in a financial situation that makes taking time away from work difficult, and a young attorney working for a large firm may be afraid to take time away for fear of coming up short in billable hours or to save face with a managing partner. It is important that veteran lawyers emphasize to the young lawyers that taking time for themselves is not only acceptable, but also vital to stay healthy of mind and body, and to avoid compassion fatigue.

To be a compassionate champion for clients in need, lawyers must first be understanding and compassionate with themselves. It is important to be on the lookout for signs and symptoms of compassion fatigue in yourself and others. Catching these symptoms early can prevent them from turning into more serious mental or physical problems. If you or a fellow lawyer or judge are suffering from compassion fatigue, the West Virginia Judicial & Lawyer Assistance Program (WVJLAP) is available to help. WVJLAP was established by Order of the West Virginia Supreme Court in 2013. It is a free and confidential assistance program for lawyers, judges, bar applicants and law students who are struggling with mental, physical and emotional health issues. Research has shown that lawyers experience personal and professional problems more than the general public due to the stressful nature of the profession. This can lead to a decline in mental or physical health. WVJLAP offers assistance to individuals whose mental, physical or emotional state is negatively affecting their ability to practice. Please visit [www.wvjlap.org](http://www.wvjlap.org) or call (304) 553-7232 for more information about WVJLAP. 