



We Cannot Pour From an Empty Cup

By Bonnie Prober

As lawyers, we spend our days — and often our nights — helping people who are facing difficult, sometimes traumatic situations. We advocate zealously on their behalf, often subordinating our own emotional responses. We are helpers; we do not want to be seen as needing help ourselves. But there are very real costs to helping.

The emotionally demanding nature of our work puts us at high risk for “compassion fatigue,” a condition defined as the cumulative psychological and physical effects of exposure to the pain, distress, or injustice suffered by others. It often is described as a deep spiritual, physical, and emotional exhaustion that leads to increasing feelings of despair and apathy.

While compassion fatigue is a term most often used in the traditional “helping” professions, the cumulative toll of such draining work is not unique to individuals in the medical, mental health, or social welfare fields. Lawyers are increasingly exhibiting compassion fatigue.

WHY LAWYERS?

Lawyers are susceptible to compassion fatigue beginning in law school, where a high value is placed on competition and self-reliance. We are taught to be strong, objective, and unemotional, lest we be perceived as unprofessional. In practice, the nature of the work is inherently adversarial. Our ability to effect change or achieve just outcomes is more limited than we may have imagined, and work conditions often are isolated and less collaborative than in other professions. Historically, the legal field has been

reluctant to acknowledge the emotional toll on lawyers and has shown little support for mental health treatment.

Judges and lawyers practicing in areas such as criminal, family, juvenile, and immigration law may face a particularly high risk of compassion fatigue, and even vicarious trauma, as they are regularly exposed to individuals’ stories of fear, pain, and suffering, as well as graphic evidence of victimization. In this profession, we all strive tirelessly to assist clients during their worst or most vulnerable times. Many lawyers log countless hours of work for emotionally difficult pro bono cases.

“We invest heavily . . . [and] feel the pain pretty acutely during the ups and downs of the representation,” says Kim Koopersmith, chairperson of Akin Gump Strauss Hauer & Feld LLP. Practitioners with heavy caseloads, and those who are particularly conscientious and empathetic, are at an even higher risk of experiencing compassion fatigue, as are those who have suffered personal trauma and those who lack social and emotional supports, sufficient boundaries, and a commitment to self-care.

WHAT ARE THE SIGNS?

The condition manifests in a range of psychological and behavioral symptoms, including:


- Regularly allowing client demands to encroach on personal time.
- Feeling emotionally exhausted, pessimistic, irritable, demoralized, numb, hopeless, or apathetic.
- Experiencing intrusive thoughts, a heightened fear of harm, disturbing dreams, sleep disturbance, loss of appetite, headaches, other physical complaints, decreased productivity, or greater absenteeism.
- Detaching or withdrawing from professional and personal relationships.
- Self-medicating with alcohol or drugs.

REVERSING THE IMPACT

Self-care is critical to combatting compassion fatigue, achieving work–life balance, and enhancing overall health and wellness. Examples of self-care include healthy eating, physical exercise, adequate sleep, regular medical care, meditation, participation in leisure activities, and scheduled downtime to unplug from work and electronics.

Symptoms may be mitigated or even prevented by engaging in regular self-assessments to monitor thoughts, emotions, and behaviors; establishing personal and professional boundaries and saying “no” or asking for help more often; maintaining healthy interpersonal relationships; learning and implementing stress management techniques; and regularly debriefing with other practitioners about feelings and reactions to cases or traumatic material. At Akin Gump, one of the most effective strategies has been “giving voice to [the impact on lawyers] and allowing people to talk about it,” says Koopersmith.

A variety of resources are available to assist lawyers suffering from compassion fatigue. The D.C. Bar Lawyer Assistance Program provides free, confidential counseling and referral services (visit dcbar.org/for-lawyers/lawyer-assistance-program or email lap@dcbar.org). Many firms and government agencies also provide access to employee assistance programs, which offer free and confidential short-term counseling services.

As lawyers, we empathize with, dedicate ourselves to, and work tirelessly for our clients. But we cannot pour from an empty cup. Our own health and well-being, as well as the quality of our representation, require that we also invest in ourselves. 

Bonnie Prober is a member of the D.C. Bar Lawyer Assistance Committee. She practiced civil litigation for over a decade before transitioning to a career in social work.