



COLAP Presents:

Keeping it Professional:

Effective Communication, De-escalation and Self-Care in Law Practice



Chip Glaze, (**former**) Deputy Director
Office of the Child's Representative Conference
September 10, 2019



$$ax^2 + bx + c = 0$$

$$x = \frac{-b \pm \sqrt{b^2 - 4ac}}{2a}$$



Rule Against Perpetuities:

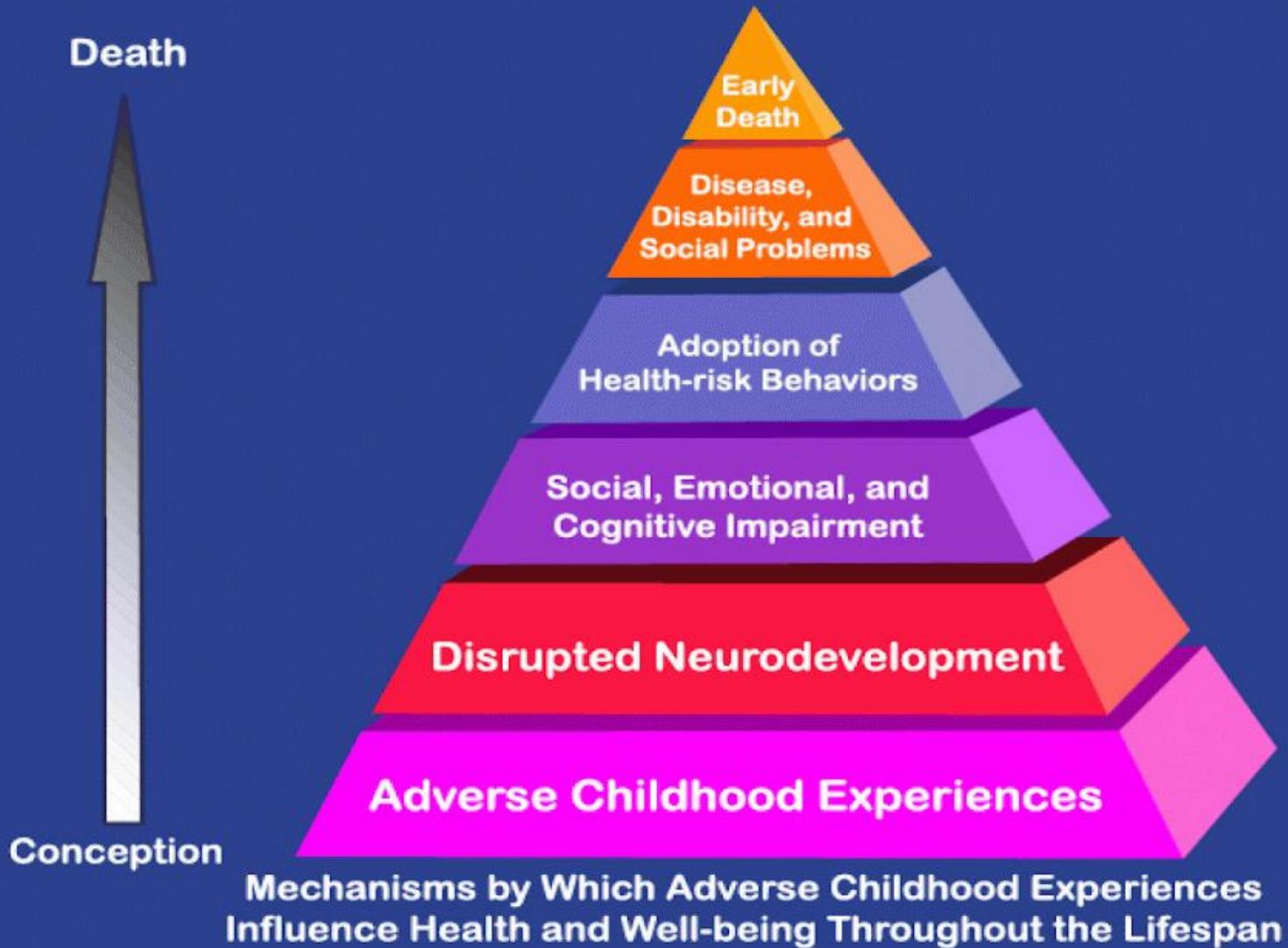
The rule that provides that certain future interests must vest, if at all, within 21 years after the death of a life in being at the time that the interest is created.

“Why do you do this work?”





LIBERTY
AND
JUSTICE
FOR
ALL



Sound Familiar?

*And for those attempting to protect, assist,
or represent them...*

“Compassion Fatigue is a state experienced by those helping people or animals in distress; **it is an extreme state of tension and preoccupation with the suffering of those being helped** to the degree that it can create a secondary traumatic stress for the helper.”

- Dr. Charles Figley, Director, Tulane Traumatology Institute

<http://www.compassionfatigue.org/>

Vicarious Trauma refers to the cumulative effect of trauma that someone’s story has on the helping listener. It is defined as **indirect exposure to trauma through a first hand account or narrative of a traumatic event.**

<http://www.vicarioustrauma.com/affected.html>

See also: *Secondary Trauma*
Secondary Traumatic Stress

For more information on VC/CF:

2011

Understanding & Mitigating Compassion Fatigue for Legal Professionals

Linda Albert, LCSW, CSAC

https://www.wisprd.org/attachments/2015Conference/pdf/Albert_%20Short%20bio-BBEoutline-articles%20permissions.pdf

August 23, 2017

Compassion Fatigue

https://www.americanbar.org/groups/lawyer_assistance/resources/compassion_fatigue/

January 10, 2018

Understanding Secondary Trauma: A Guide for Lawyers Working with Child Victims

Christina Rainville

https://www.americanbar.org/groups/child_law/resources/child_law_practiceonline/child_law_practice/vol-34/september-2015/understanding-secondary-trauma--a-guide-for-lawyers-working-with/

February 6, 2019

How to Identify and Address Secondary Trauma

William C Silverman

<https://www.natlawreview.com/article/how-to-identify-and-address-secondary-trauma>

objectivity

“The root of suffering is attachment”

The Buddha



Be committed to the process without being emotionally attached to the results.

Detachment

“A burning passion coupled with absolute detachment is the key to all success.”

— Mahatma Gandhi



Those that chronically endure the effects of secondary trauma without... treating it may experience debilitation that forces them to stop working or leave the field of law.



In order to effectively advocate for your client—you need to effectively care for yourself first.

Bottom Line



A partial list of symptoms and conditions associated with secondary traumatic stress:

Hypervigilance

Inability to embrace complexity

Avoidance of clients

Sleeplessness

Chronic exhaustion

Minimizing

Hopelessness

Inability to listen

Anger and cynicism

Fear

Physical ailments

Guilt

National Child Traumatic Stress Network

Secondary Traumatic Stress A Fact Sheet for Child-Serving Professionals

http://www.nctsn.org/sites/default/files/assets/pdfs/secondary_traumatic_tress.pdf

Secondary Trauma / Compassion Fatigue

The expectation that we can be immersed in suffering and loss daily and not be touched by it is as unrealistic as expecting to be able to walk through water without getting wet.

- Naomi Rachel Remen

Self-Care is a
priority and necessity
- not a luxury -
in the work that we do.

The work you're doing is tough.

Take care of you!

One way to minimize the effects
of trauma exposure and stress:



As attorneys it can sometimes feel as if we're in the "Bad News" business.

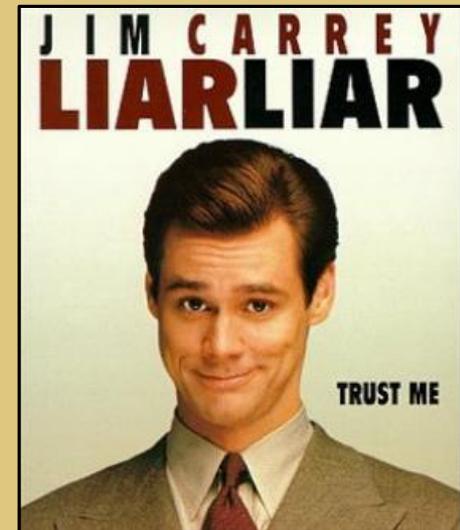
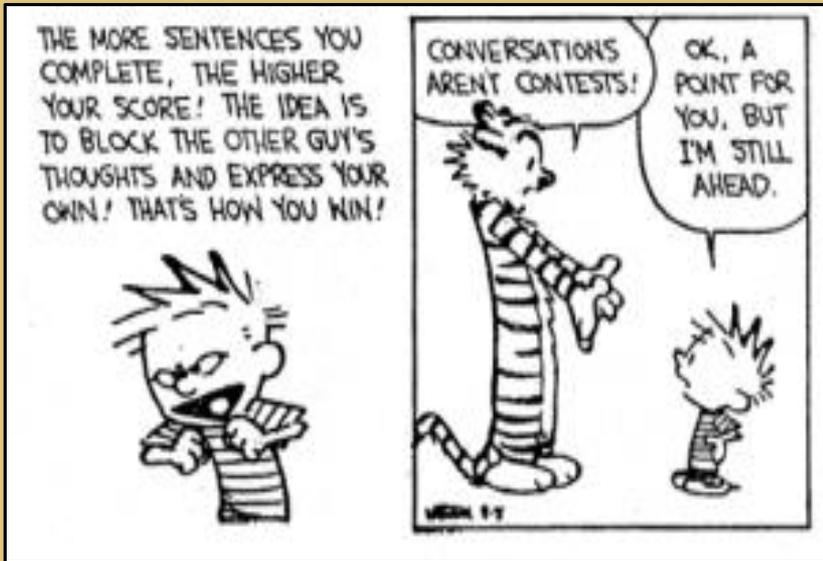


"I'm so excited to share this bad news with you!"

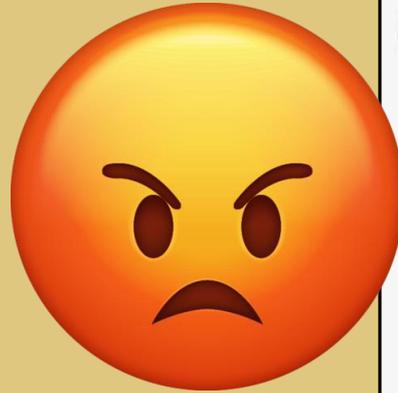


#SaidNoOneEver

REACTIONS – other attorneys



REACTIONS – clients



Rarely, if ever



(see also: Rainbow Unicorn)



The %@#! Phone





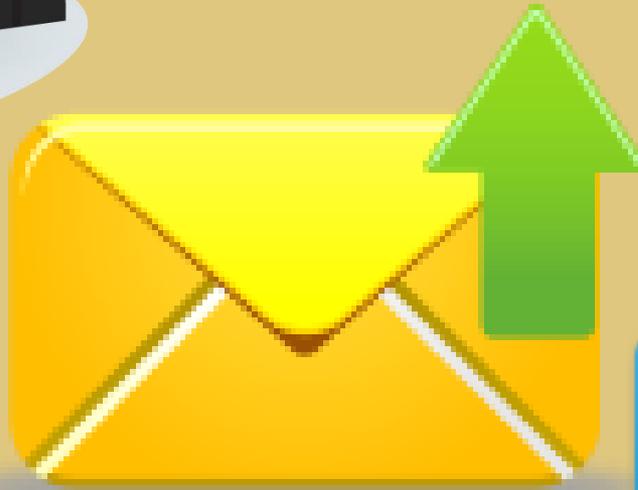
Generally not:

- Good News
- Just saying “Hey!”
- Convenient
- Simple

Frequently:

- Multiple / Complex Issues
- Less than pleasant
- Traumatic

“Written” Communication



Sending/Posting/Linking/Sharing...

So we're clear:



SAFE



Situational Awareness

Be Prepared

Hope for the best



Plan for the worst

intentional

in · ten · tion · al

Adjective: Done on purpose; deliberate.

Good things to keep in mind:

A black and white portrait of Stephen Covey, a bald man with a friendly smile, wearing a dark suit, white shirt, and blue striped tie. He is seated and looking towards the camera.

The **7** Habits of Highly Effective People

1. Be proactive
2. Begin with the end in mind
3. Put first things first
4. Think win-win
5. Seek first to understand, and then to be understood
6. Synergize
7. Sharpen the saw

Stephen Covey

Know yourself



S i t R e p

Know your team



Know your audience



*The best predictor of
future behavior is . . .*

That includes your behavior.

Gender Issues



Cultural Issues

Does your behavior or language change based on audience? **If so, how/why? Based on what?**



Implicit Associations (see also: *Biases*)



- Automatic
- Unconscious
- “Hardware”
- Reciprocity

About

<https://implicit.harvard.edu/implicit/faqs.html#faq1>

Take a test

<https://implicit.harvard.edu/implicit/takeatest.html>

The Angry Traveler's Guide to Obscene Gestures



United States



Britain/Australia



Turkey



Brazil



Thailand



France



Vietnam



Italy



Greece



Phillipines

THE HORN FINGERS



USA

Adopted by rockers as a sign of approval, and in essence, to 'rock on'.



Italy, Brazil, Colombia, Portugal, Spain

In other parts of the world, to make this sign at someone is to tell them their wife is cheating on them.



Egypt: „Be patient“

Italy: „What do you mean?“



Greece: „That's just perfect!“



We usually use this "OK" sign when we respond to something positively. In the U.S, the "OK" hand gesture has positive meanings. However, in the Middle East, using this gesture is really offensive, and in France, it means "zero." In addition, it means money in Japan. Therefore, if you go shopping in Japan, it means that you want to change some bills.

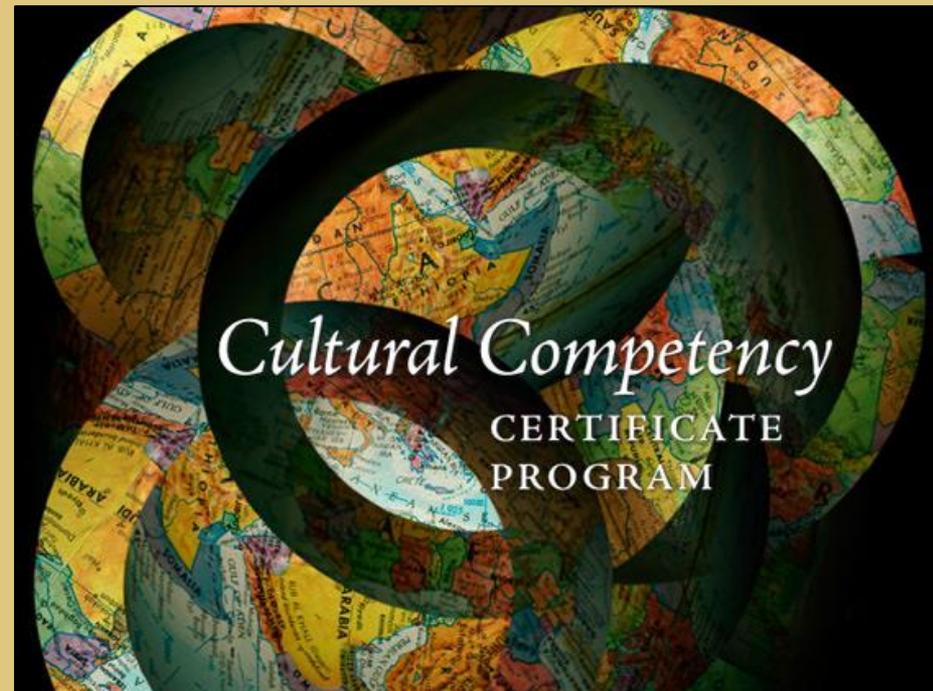
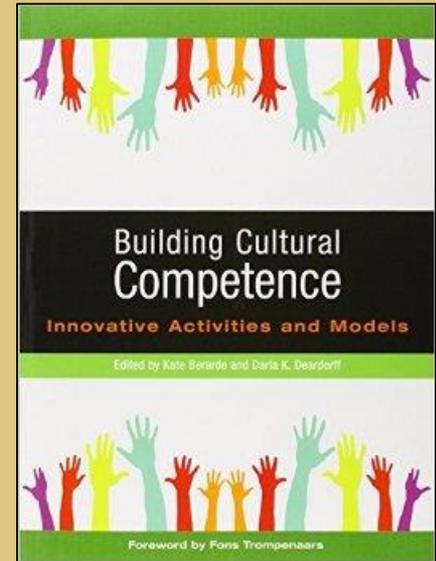
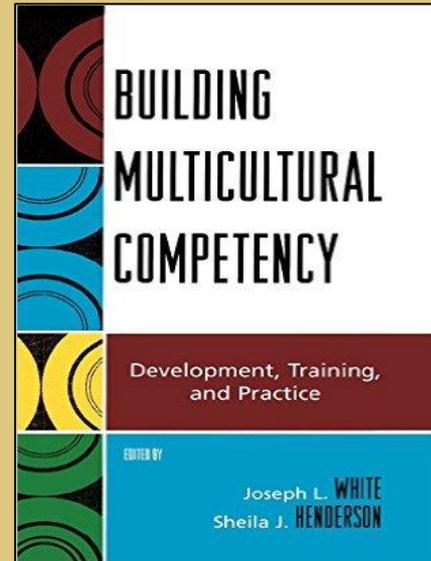
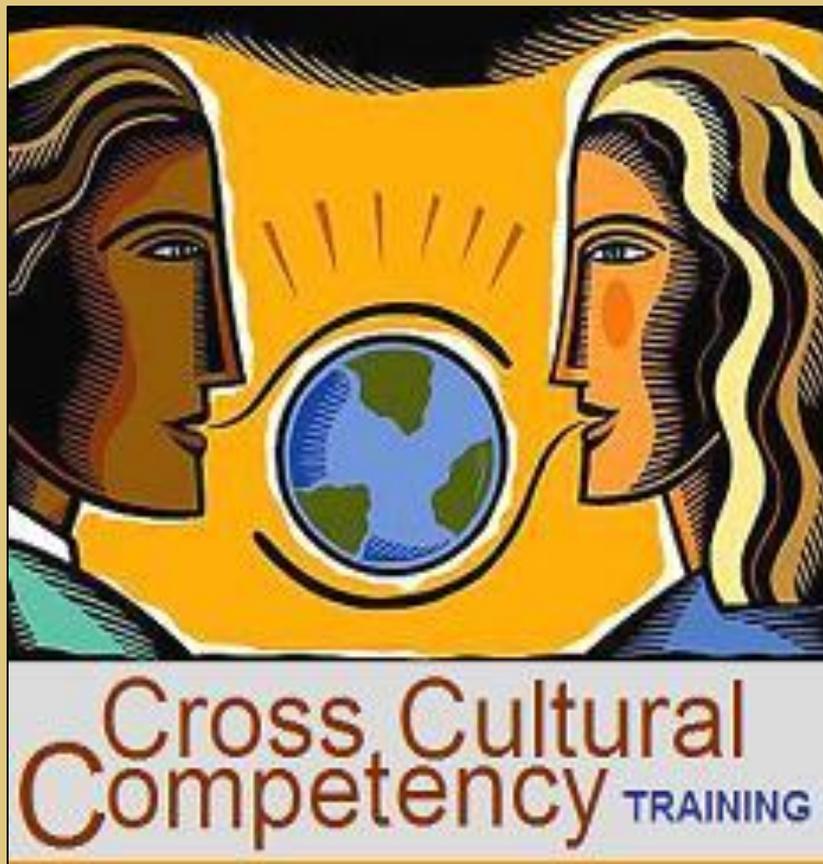


In Korea, we usually think that this gesture means "OK" or "Good job." Thumbs-up expresses approval or acceptance. In the U.S, people use this sign to say "Well done" or "Things are great." However, in Latin America, Greece, and southern Italy, the hand gesture has the opposite meaning. In addition, in Iran and Iraq, this hand gesture is regarded as a very obscene gesture.

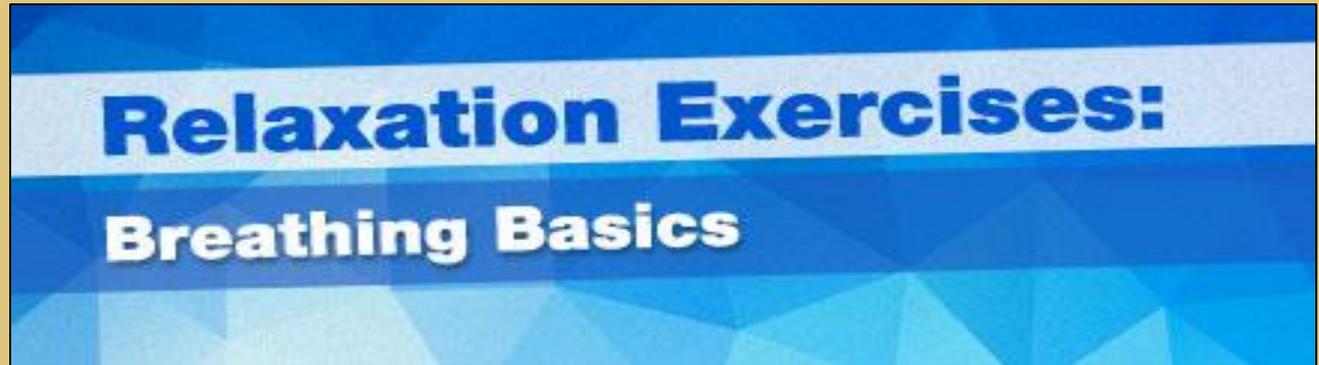


In the U.S, a V gesture is usually used for "victory" or "peace and love." In Japan and Korea, this gesture is used when posing for photographs. However, if you make the V the other way around, it has totally different meanings. In the United Kingdom, Australia, and Ireland, this sign is regarded as a grave insult.

Educate yourself.
Educate your team.



Mindset, Getting Centered, Etc



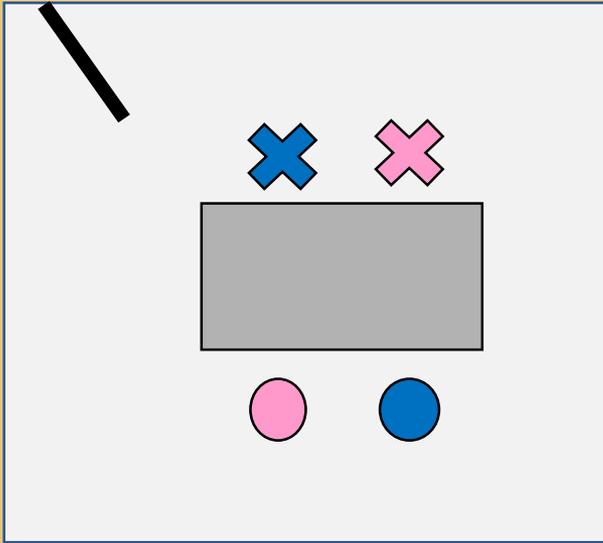
Considerations:

Effectiveness

Rapport

 SAFETY

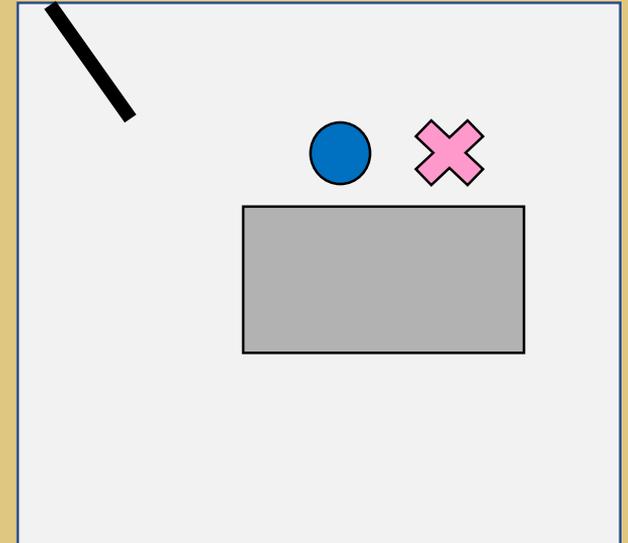
Be Intentional; Logistics



Resources

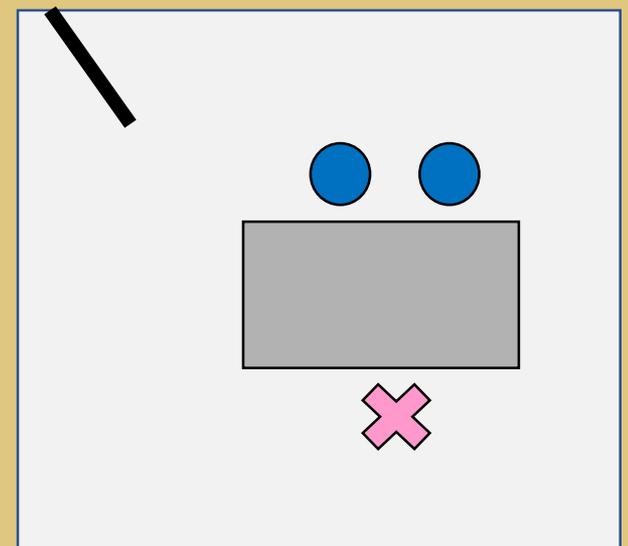
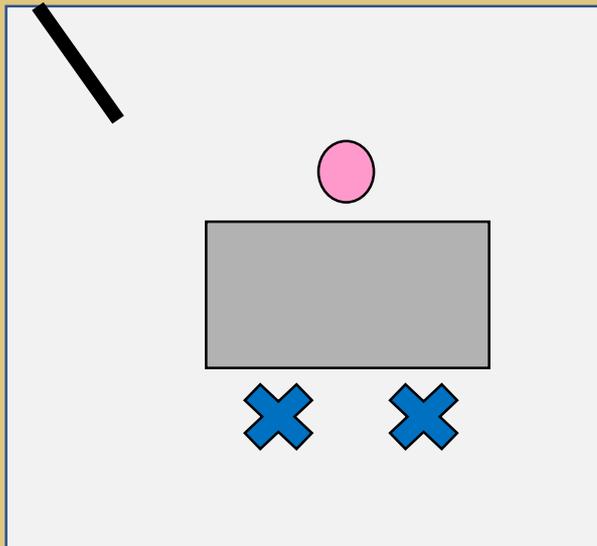
Safety

“Space”



Perception

Privacy



* “We” are the ○s

Be Intentional; Time



Be respectful of others' time

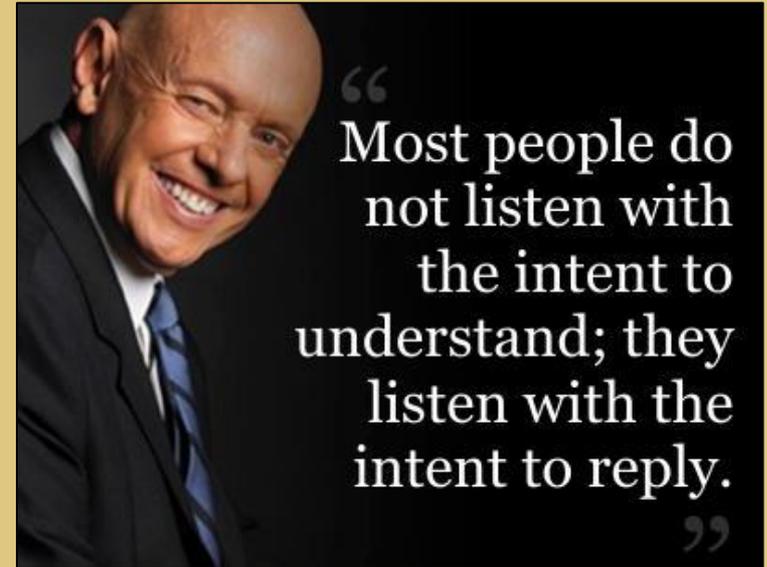
Respect / honor your time and other obligations



PARDON
THE
INTERRUPTION

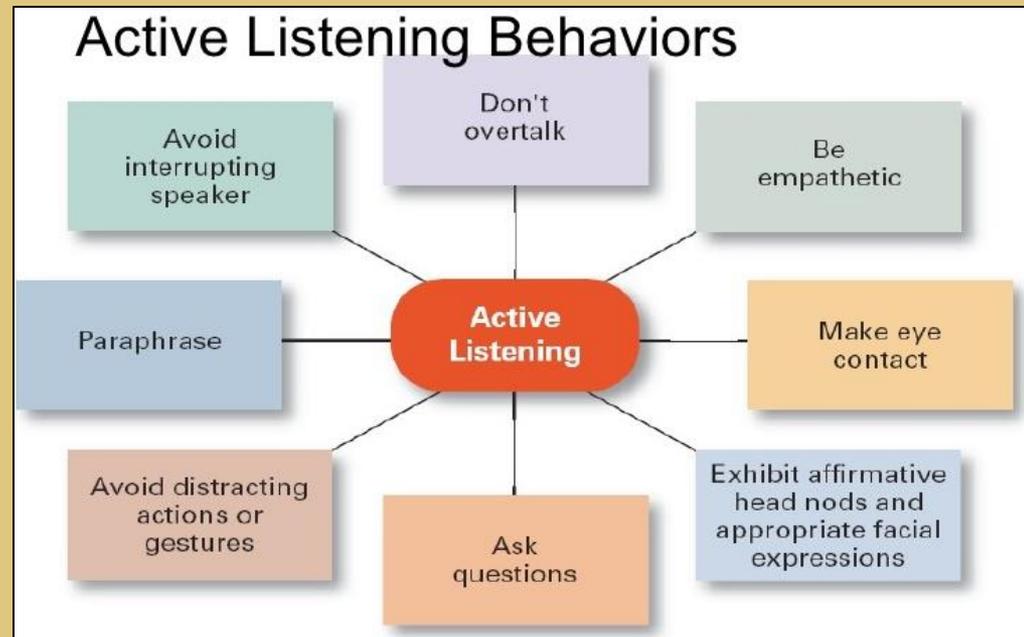


Be Intentional; Listen



“ One of the most sincere forms of respect is actually listening to what another has to say. ”

Bryant H. McGill
8 Jan 2014 6:33 am



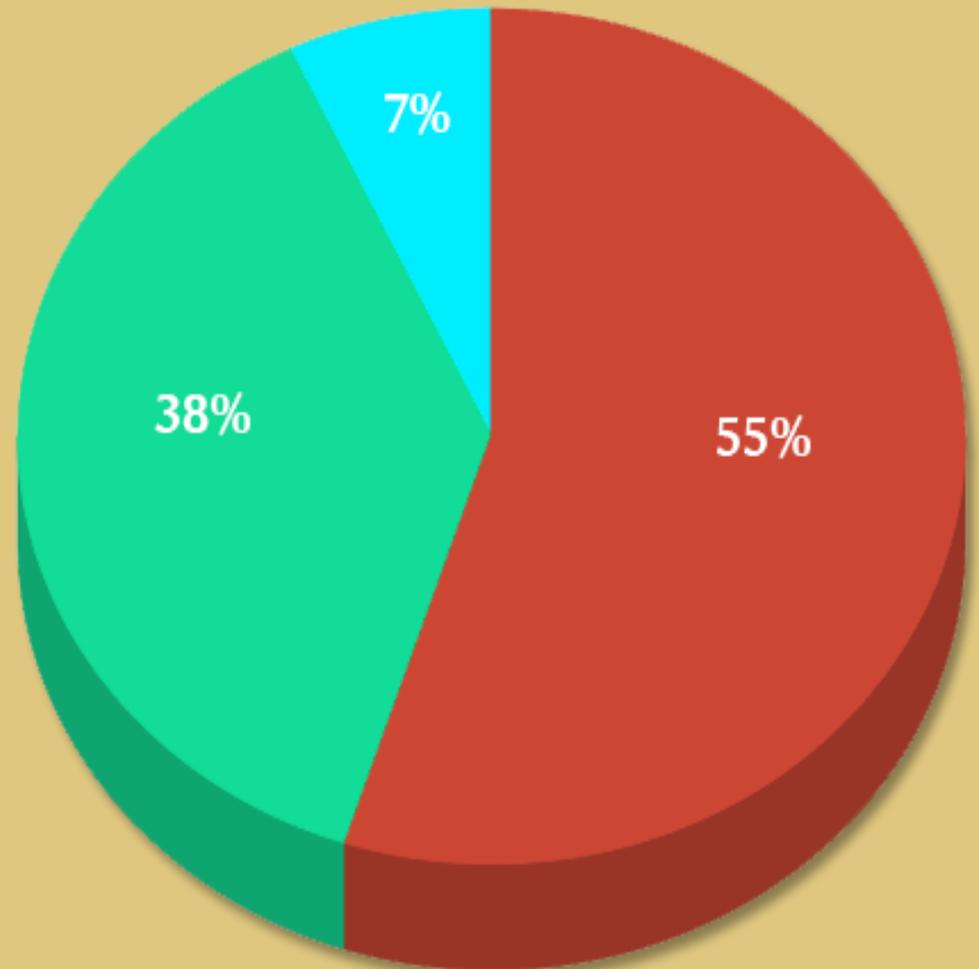
Be Intentional; Nonverbal Communication

Elements of Personal Communication

➤ 7% Spoken words

➤ 38% Voice, Tone

➤ 55% Body Language



What are these people saying?





Are words even necessary here? Meaningful?



From a non-verbal communication standpoint what do we think of this?



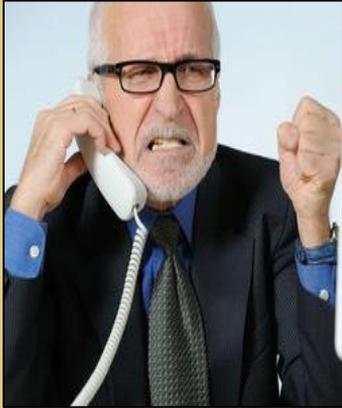
Is standing OK?

What about standing over?

Is the stance necessary?

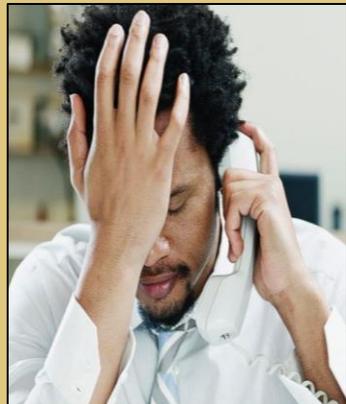
How about the pointing?

Nonverbal Communication; even on the phone



Multi-tasking means **SCREWING UP** several things at once

Your expressions can be “heard”

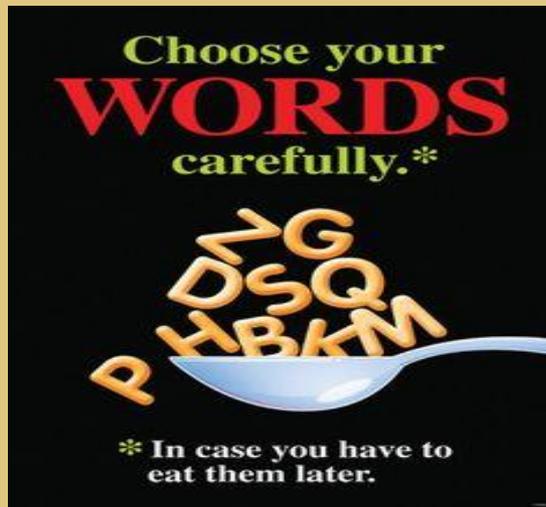


Limit 1 per customer

Be Intentional; Word Choice and Tone



*Choose your next words wisely...
you may seem them in court*

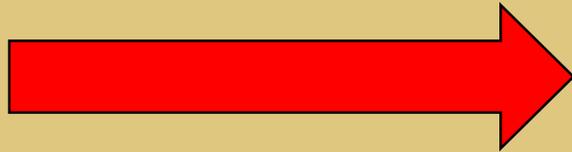


Be intentional; Volume



If their volume increases,
instead of trying to speak
over them, decrease yours.

Nobody is winning here

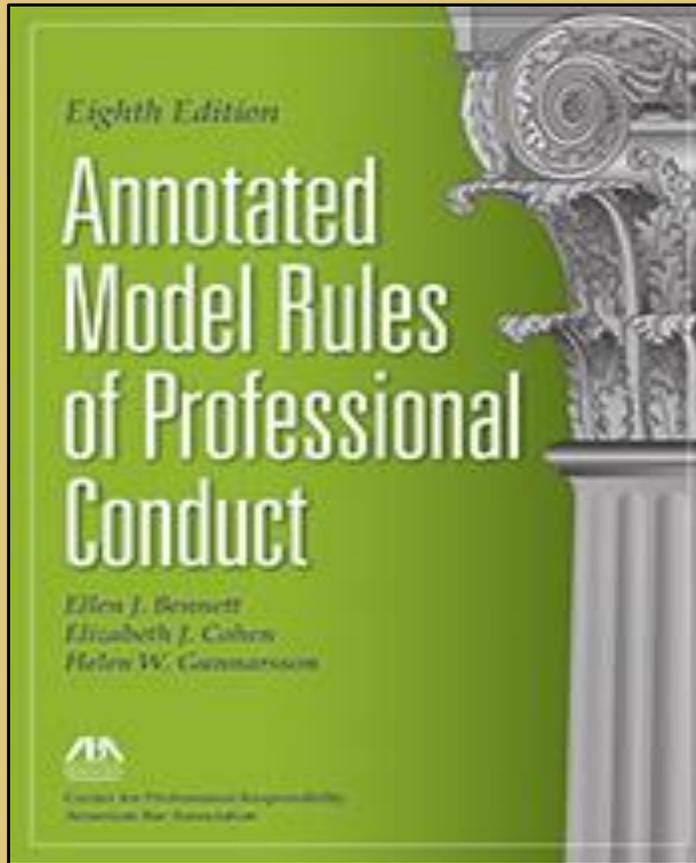


Avoid Reacting (especially over-reacting)



Their behavior should not dictate yours.

Remember:



You are the
professional
in the room



A certain level
of decorum is
expected

If/When you need help:



Speak up.





Colorado Lawyer Assistance Program (COLAP)

- What: *Confidential, Independent program*
Created by CO Supreme Court Rule 254
- Where: Location: I-25 & Speer, West Side
- When: By appointment
Call or email anytime
- How: Assistance with personal and professional issues, referrals to therapy/treatment, presentations, articles, volunteers

Why Contact COLAP?

- Presentations
- Stress management issues
- Relationship issues - family, co-workers, difficult clients, etc.
- Concern for a colleague
- Grief issues
- Referrals for therapy/treatment
- Mental health or substance use issues
- Transitions - job/career change, retirement
- “Just need to talk”

COLAP Services Are:

Confidential

Voluntary

No Charge

“Broadbrush” services

COLAP services are available to *ALL*
lawyers, Judges, and law students

COLAP IS *NOT ATTORNEY REGULATION*



For Confidential Assistance:

303.986.3345

or

For More Information:

www.coloradolap.org