



COLORADO OFFICE OF
**THE CHILD'S
REPRESENTATIVE**

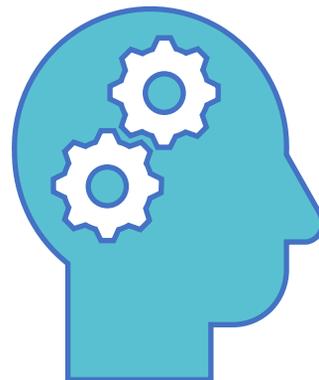
Building a Sustainable Practice

Office of the Child's Representative
Core Competencies II
February 17, 2023

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Session Goals

- Take time to check in
- Share information and resources regarding compassion fatigue, secondary trauma stress
- Discuss maintaining boundaries as both a sustainable practice and advocacy strategy
- OCR resources and supports
 - Reminder of what is available
 - What else do you need?



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Checking In

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Self Reflection

- What has been your high point?
- What has been your low point?
- What is a challenge or stress you did not expect (or expect the degree)?
- Has doing this work impacted other areas of your life? How so?
- What do you find that sustains/supports you (either in practice or outside)?



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Secondary Trauma Stress

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Terms and Definitions

- **Stress:** A mentally or emotionally disruptive or disquieting influence, which can arise from positive or negative events. Stress emerges over time. Each new stress builds on unresolved past stress.
- **Trauma:** Any shock that creates substantial damage to the psychological health of the individual.
- **Vicarious Trauma:** Can occur from witnessing and hearing traumatic events experienced by others.
- **Compassion Fatigue/Secondary Trauma Stress:** A combination of exposure to trauma and empathy. The behavior and emotions resulting from knowing about a traumatizing event experienced by someone close. It becomes an emotional weight experienced when helping or wanting to help a traumatized person.
- **Burnout:** Unresolved Secondary Trauma Stress can lead to this.

Steckler & Light, *The Hidden Cost of Empathy: How to Address Secondary Trauma Stress in a Child Law Office*, ABA Children's Rights Litigation Articles (available at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2017/hidden-cost-of-empathy-how-to-address-sts-child-law-office/>).

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“STS is unavoidable if we are immersed in our work with trauma-impacted children and families. . . . We chose to become children’s lawyers because we have a fervent desire to ensure children’s safety, well-being, and permanency.

Yet, we likely didn’t fully understand the impact this work would have on us. How do we sustain ourselves in the face of STS to continue on our relentless quest to improve the quality and dignity of our clients’ lives?”

Cobs, Melrose, Stankus, & Vargo, *Using Reflective Case Consultation to Battle Burnout and Secondary Trauma Stress*, ABA Children’s Rights Litigation Article

(available at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2019/winter2020-using-reflective-case-consultation-to-battle-burnout-and-secondary-traumatic-stress/>)

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Causes of STS/Compassion Fatigue



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Impacts of STS/Compassion Fatigue

On Us

- Self Esteem
- Relationships
- Attitude
- Personal health

On Our Clients

- Legal errors
- Client profiling
- General disorganization
- Conflict and toxicity in workplace
- Decreased job performance

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Recognizing STS/Compassion Fatigue



- Feeling despair
- Not enjoying formerly pleasurable activities
- Feeling stressed and anxious even after you have left stressful environment
- Having a pervasive negative attitude
- Feeling overwhelmed
- Inability to pay attention
- Sleep disturbance
- Questioning self worth and professional identity
- Feeling guilty and unfulfilled

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Strategies

Prioritize your physical, social, emotional and spiritual needs	Take good care	Be kind to yourself
Do things that move you physically and spiritually	Take time to connect with others <ul style="list-style-type: none"> • Have at least one meaningful conversation a day • Talk about your experiences and responses with supportive staff 	Learn to say no
Control your schedule in any way you can	End of day routine to transition away from the office	Knowledge & awareness <ul style="list-style-type: none"> • Physical manifestations: empathic resonance, hyper-arousal, hypersensitivity

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Professional Preservation Plan

Boundary:

Self-Care Practice:

Trauma Exposure:

Signs of Stress:

Motivation for work:

Rewards of work:

was developed
by:

**CENTER FOR
EXCELLENCE
IN ADVOCACY**

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Resources

American Bar Association Children's Rights Litigation Committee Articles

[*Using Reflective Case Consultation to Battle Burnout and Secondary Trauma Stress*](#)

[*Compassion Fatigue: Caveat Caregiver?*](#)

[*Five Steps for Addressing Compassion Fatigue*](#)

[*Addressing Compassion Fatigue: An Ethical Mandate \(audio roundtable\)*](#)
materials available [here](#)

[*Tips for Young Lawyers: How to Avoid Burnout as a Children's Lawyer*](#)

OCR Materials

[Compassion Fatigue: Resiliency to Stress](#)

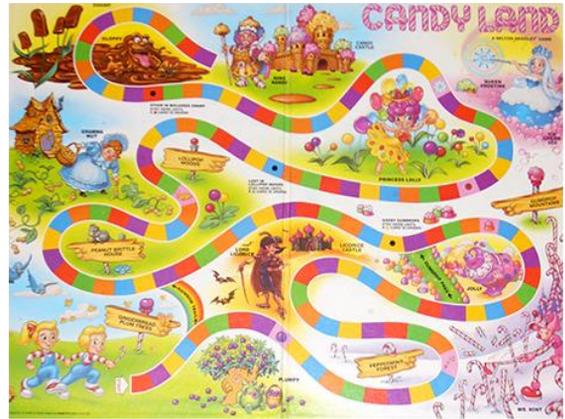
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Why, When and How to
Say "No"

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Staying in your lane helps you stay the course



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Staying in your lane advances justice for children and youth



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Staying in
your lane
results in
better
outcomes

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Scenarios and Strategies

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Scenario 1

As CFY, you have been working with Ben, age 15, on his right/decision to attend court. Ben is currently placed with a foster parent and has become increasingly disengaged with school, treatment, etc. After extensive consultation with you, Ben has decided that he wants to attend his upcoming permanency hearing.

The department has notified you that neither the caseworker nor the foster parent are available to transport Ben to court.

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Scenario 1 Resources and Considerations

Colorado Rules of Professional Conduct	CJD 04-06	Billing policies and procedures	Other considerations	OCR Resources
<ul style="list-style-type: none"> • Rule 1.7 Conflict of Interest • Rule 3.7 Lawyer as Witness 	<ul style="list-style-type: none"> • V.D.1.b 	<ul style="list-style-type: none"> • Section VI: The OCR does not fund treatment or services 	<ul style="list-style-type: none"> • Malpractice insurance? 	<ul style="list-style-type: none"> • GRID Children in Court FS • OCR's Youth Center • Litigation toolkit • Youth in Court training

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Scenario 2

Supervised visits are currently ordered between parents and the two children whose interests you represent (ages 1 and 3). Children were just removed from their parents' home a week and a half ago; the first visit was canceled when parents' transportation fell through, and you just learned that due to staffing shortages, there are no staff available to supervise the visit scheduled for this afternoon. Your case consultant amazingly does not have anything scheduled for the time the visit is supposed to take place.

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Scenario 2 Resources and Considerations



Colorado Rules of Professional Conduct

Rule 3.7 Lawyer as Witness



Billing Policies and Procedures

Section IV: CCs cannot bill for time spent in court; if subpoenaed as witness, need OCR preapproval

Section VI The OCR does not fund treatment or services



OCR Resources

GRID Fact Sheets: Visits, Reasonable Efforts

Litigation Toolkit

Case Consultants Resource (OCR Webpage)

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Scenario 3

Shayna, age 16 is the kid who tugs at your heartstrings. After a failed adoption, she has been through multiple placements, she is currently in a QRTP, and the team has had a really hard time finding natural supports for her. Her behavior issues are severe, but she's sweet and funny once she develops trust with someone. She calls you every other day just to talk about her day at school, what is happening with other kids, and to vent. She has requested that you go out for Starbucks each week just to check in about her case and to help with her math homework.

Her birthday is coming up, and you know she will not be receiving any presents. She has been telling you how much she wants a pair of Converse high tops.

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Scenario 3 Resources



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Scenario 4

You have been appointed as GAL for two children, ages 3 and 4. Mother has a developmental disability, and children are currently residing with mother and their grandmother. You reach out to Mother's counsel to gain permission to speak to her client, and she sends an email stating that because you are clearly biased against her client based on her client's disability and race, you cannot meet with her outside of her presence. Mother's counsel also states that you cannot conduct a home visit outside of her presence, as that necessarily involves communicating with her client.

Mother's counsel refuses to respond to multiple emails in which you are attempting to set up a meeting and visit. Through email, however, she accuses you of violating the rules of professional conduct for attending a FEM in which mother, but not RPC, was present.

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Scenario 4 resources

CJD Provisions	HB 22-1038	OCR Resources	Rules of Professional Conduct
<ul style="list-style-type: none"> • V.D.2.a.1 observing child in placement • V.D.4.b meeting with placement providers • V.D.3b.interviewing parents, make diligent efforts to observe parent/child interactions • VD1.d: attending meetings/staffings as needed • ORPC CJD 16-02 	<ul style="list-style-type: none"> • 19-3-203(4)—access to child/youth 	<ul style="list-style-type: none"> • Litigation toolkit • Case consultants 	<ul style="list-style-type: none"> • Rule 4.2 Transactions with Persons Other Than Clients

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Other scenarios/real life examples. . .

What are some of the situations you've been facing?

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OCR Resources and Supports

- The [GRID](#)
- [Attorney FAQ](#)
- The [Litigation Toolkit](#)
- OCR's [Billing and Reimbursement page](#)
- The [CARES Help Center](#)
- [Case consultants](#)
- Listserv
- Staff attorneys
- Your mentor
- [OCR's Litigation Support List](#)
- Each other!

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But what about the money?

Yes, a sustainable practice requires you to bill and get compensated for your time!

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Billing reminders

- ✓ One invoice is allowed per month.
- ✓ Some cases require a court order for OCR to set the allocation.
- ✓ AF reminders can be set in CARES by you.
- ✓ Remember OCR's 14-day approval period for AF requests.
- ✓ Quarterly monthly invoice reviews-- the faster you respond, the faster you will be paid!
- ✓ Remember our invoice processing time frames (*while we are fast, we have 45 days to pay*)
- ✓ Make billing a routine and NOT last minute part of your practice



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CARES reminders



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Sharing tips and
strategies

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Conclusion

"She always was honest with me and answered all my questions the best she could." Youth

"Well every time something went on, he was the one there. He would be the one I would talk to. I would tell him everything." Youth

"Hopelessness is the enemy of justice. Hope allows us to push for word, even when the truth is distorted by the people in power. It allows us to stand when they tell us to sit down, and to speak when they say be quiet." Bryan Stevenson

"If we are to reach real peace in this world and if we are to carry on a real war against war, we shall have to begin with the children." Mahatma Gandhi

