



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

“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 . . . to continue on our relentless quest to improve the quality and dignity of our clients’ lives?”

Building a Sustainable Practice

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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
- Sustainable business practices
- 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 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 has been most rewarding?



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Secondary Trauma Stress

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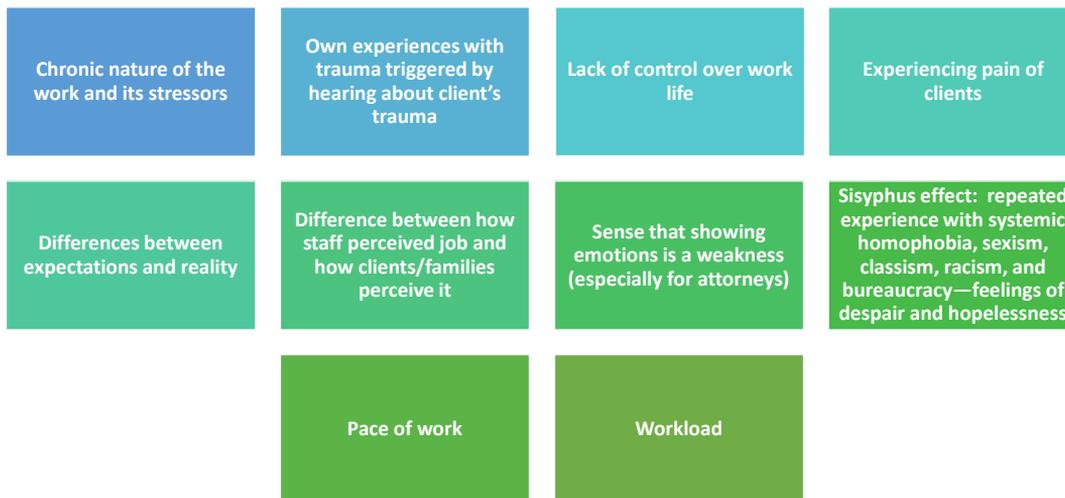
Terms and Definitions

- **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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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

- 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

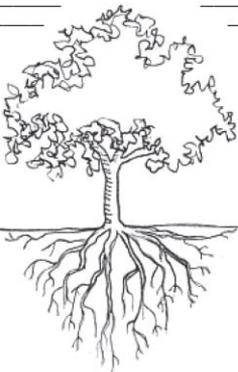
Knowledge & awareness

- 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: _____ _____

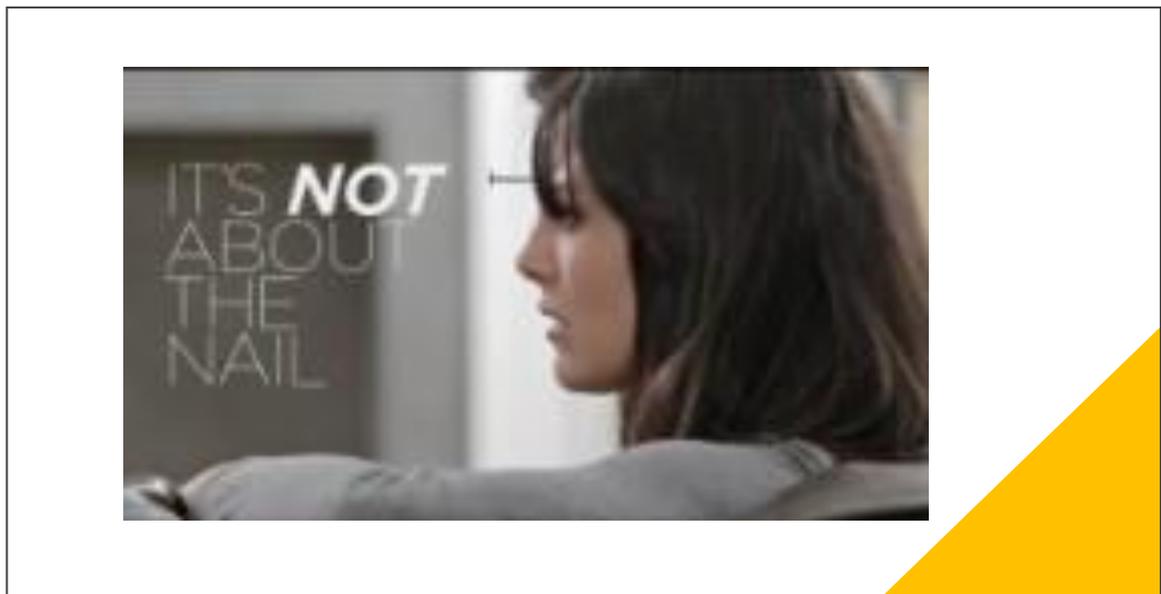


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ABA Resources

American Bar Association Children's Rights Litigation Committee Articles

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

[Compassion Fatigue](#)

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

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COLAP Resources

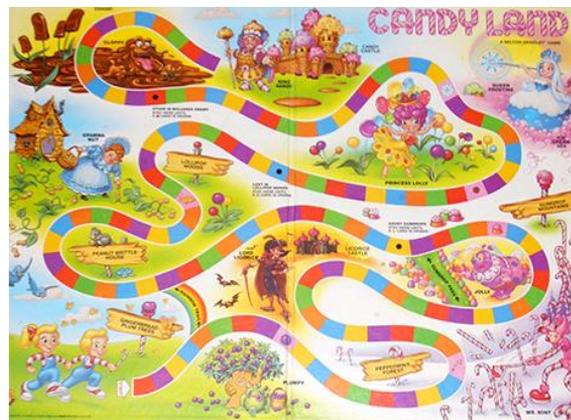
- COLAP Well-Being Resources: <https://coloradolap.org/wp-content/uploads/2023/05/2023-Wellbeing-Resources-for-the-Legal-Community.pdf>
- The Colorado Lawyer Self-Assessment Program is a confidential self-assessment designed to help lawyers better serve clients and simplify their professional lives by reflecting on efficient law office management and compliance with professional obligations. The confidential self-assessment qualifies for ethics CLE credit.
www.coloradosupremecourt.com/AboutUs/LawyerSelfAssessmentProgram.asp
- COLAP resources: <https://coloradolap.org/home/helpful-articles/>
- COLAP Consultation: <https://coloradolap.org/home/consultations/>
- COLAP Peer Support: <https://coloradolap.org/home/volunteer/>
- CBA training (video on demand)

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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 advising Ben, age 15, on his right 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. They want you or your CC to transport.

What can you do?

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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 • Sample motion and order in 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.

What can you do?

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Scenario 2 Resources and Considerations



Colorado Rules of Professional Conduct

Rule 3.7 Lawyer as Witness



Billing Policies and Procedures

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

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.

What can you do?

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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.

What can you do?

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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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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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Other Business Resources

- The CBA partners with Affinity Consulting Group to bring law practice management and technology-related resources to members. <https://www.cobar.org/lpm>.
- Solo Practice 1-day training held annually. This is an approved training for OCR training verification purposes.
- Publication - Solo in Colo: Practice as One, Connect as a Community. <https://www.soloincoloro.com/>
- CBA member perks and discounts: car rental, events, yoga, virtual receptionist services, and much more + info about retirement plans, student loan refinancing, liability insurance etc. <https://www.cobar.org/perks>
- Peer Professional Assistance Group: <https://www.cobar.org/ppa>
- Hanging Your Shingle: Successfully Launching and Running Your Own Practice: <https://cle.cobar.org/Home-Studies/Product-Info/productcd/LP081623N>
- 5th annual Solo-Small Firm Institute (homestudy from September 2023): <https://cle.cobar.org/Home-Studies/Product-Info/productcd/SS092023N>



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Thank You!

"My attorney always made me feel very secure. I was never afraid to hide something from her because she easily built trust with me. I never felt that they weren't fighting for me."