

# Self-Care vs. Car Wrecks: A Compassion Fatigue Story

BY ANONYMOUS

I am smart. I really enjoy using my smarts to solve problems: logic problems, crossword puzzles, strangers needing directions, my clients' problems, my friends' problems, and my family's problems. But, fixing problems has a sinister side, just like any addiction, and one can develop compassion fatigue.

The best way to explain "compassion fatigue" comes from my therapist. During a session,

as I was throwing off my defensive statements to her regarding "not caring" or "it's not my problem," she openly scoffed that I enjoyed

fixing other's problems the same way alcoholics drink beer. She observed that I would never be the person who just didn't care. She is so

right. I like helping people. I like being smart and solving problems. I discovered, however, that the bad side of caring too much and about

the wrong things can lead to not caring at all about most everything.

My story starts sometime in 2014. On my way to work, I started (at least once a week) contemplating driving my car off a seven-to-eight foot cliff overlooking the railroads. At the time, my family law practice was thriving, and I doubt anyone could have known the feelings and thoughts that I was having. The thoughts increased in frequency, but each time I had these thoughts, I always convinced myself not to do it because I couldn't guarantee that I wouldn't kill myself or inflict life-long trauma, which would just cause more problems. I didn't want to die. I just wanted a break from my life. However, each day I invested a little more time in trying to plan how I could do it and manage to get a short stint in the hospital

and a much-needed break.

I tried so many things to stop the thoughts and get over being so tired all the time. I tried vacations. I went to the beach, the mountains, Florida, and New York City. But I'd be exhausted before I left on the trip and even more exhausted upon my return, faced with catching up on the backlog. Not only didn't they fix my problem, vacations seemed to exacerbate it.

Diet and exercise helped somewhat. I was running a 5K a month and participating in Crossfit and Spartan races. I was the most physically fit that I have ever been in my life during this same time. No processed foods for me. This was wonderful compared to my



chubby, middle-school days where I hated the PE and would eat an entire pan of Rice Krispy treats in a single sitting. Unfortunately, except for the hour or so that I was participating in the exercise or event, it really didn't change any of my thoughts or my mentally exhausted state.

Sleep was minimal during this time. I routinely woke up at 3 AM and couldn't go back to sleep because of thoughts racing through my head. I stayed up late at night rehearsing my statements for trial, arguments that would usually never even be spoken. I considered going to the doctor, but I had heard strange things about sleep meds like Ambien. I didn't want to murder someone in

my sleep or go parading around my neighborhood in the nude, so I stayed on course with my preferred plan—contemplating my car wreck/hospital stay.

This went on for about a year, until I had had enough. I decided I would address my problem, even though I had no idea what my problem actually was at that time. Unaware of how much I was subverting my needs to everyone else's, my life presented the perfect opportunity for me to finally focus on myself. My 11-year-old was going on a school trip for almost a week with no access to a cell phone or me. You see, I didn't want to upset her or inconvenience her, because I was responsible for driving her to school, helping her with homework, and generally making sure her life was good. Plus, her not having a cell phone meant that if she had any problems, then she couldn't call me to fix the problem. In addition, I didn't have court that week either. My clients didn't have pressing problems to fix! So, I dropped her off at school and watched her get on the bus. Now I could finally focus on me and this problem, whatever it was. I was sure a trip to the doctor would somehow fix it all.

My regular doctor couldn't see me. I started to get frazzled and after casting about for ways to avoid doing so, I finally relented and told my husband that I needed to go to the ER. At the ER all went smoothly until the doctor asked me the standard question, "Are you suicidal?" Even though I knew the question was coming, I hadn't rehearsed or even thought about what I'd say. However, the most profound words came to me regarding my current state of mind and problem. I blurted out, "I don't think so, but I don't know what I am going to do if I have to hear another f\*\*king person's problems." With that statement I meant "person" to include every single living thing on this earth: family, friends, clients, political activist groups, donation seekers, Leonardo DiCaprio, random strangers asking for directions...EVERYONE! He responded with, "So possibly homicidal or suicidal," and laughed kindly.

I got through that day and was given a prescription for the normal stuff doctors hand out for depression and anxiety. I scheduled some follow-up doctor appointments. It was a lackluster resolution. None of the medications worked for me; they only exacerbated my problems over the following week. I discovered I don't synthesize those medications well, so they were not going to be

an option for me, which was thoroughly disappointing. Not to mention, my kid was back and court appearances were looming. This problem seemed to now be out of hand. I couldn't just return to the way things were before, but did not know what to do differently.

It was at my first follow-up appointment with my doctor that my "problem" started getting defined. My doctor said that I didn't have a support system. Eureka! I KNEW IT! I finally had confirmation that I was surrounded by hapless, greedy, needy people that constantly took and took and took from me. So it turns out they were all jerks after all! Then he went on to say, "You have no support system because you don't tell anybody what is going on and instead just try and handle it all on your own."

Wait.

What?

But there it was. I was the jerk. I thought I was so smart. That I was above it all. That I did not need community. You did. But not me. I was different and special. The realization was gut wrenching.

I was told I could resolve my issues by "just sharing." Ah, ok. Maybe "just sharing" is easy for you. Not me.

Here is where my anxiety started amping up. In order to be effective, my sharing had to be regardless of how others responded to what I was sharing. And I needed to share it all, especially the toes-curling-in-my-shoes stuff. I discovered that I was really a people-pleasing, low-self-esteem fraud. I faked life well. I pretended to have it all together, but I was constantly speaking unkindly to myself. I created unrealistic expectations for myself and was way too consumed by others' perception of my life. Or what I imagined their perception to be. In sharing, I started really discovering what was going on in my head and my life and why I was always so tired. I was exhausted because I was battling this inner jerk. As I shared this with my support people, I realized that I could change the script going through my head. Noteworthy, my support system was and still is a work in progress. Some people didn't make the cut and I limited their role in my life. I am working on me and I need truly supportive friends and allies to help with that project.

The lone soldier approach doesn't work. Neither does working by yourself on problems that you aren't properly trained to fix. Reluctantly, my next step was an appointment

for therapy with a psychologist. I hated the thought of talking to a therapist, but it didn't matter, because I needed to talk to one. Just as many people with legal problems need an attorney but hate coming to and paying for one, I knew going to a therapist was the best thing to do. I was sure a therapist would want to talk it out and want me to say that I was depressed, and anxiety-ridden, and admit that attorneys just have sucky lives. Well, she didn't. She told me about "Compassion Fatigue." It's like burnout, but it is from dealing with other peoples' problems. For example, like where you solve people's problems for a living but also put yourself in a position to have everyone come to you with their problems because you really like solving others' problems, and they don't know to stop because you haven't told them to stop and now you're ill because of it. She explained that in her profession, compassion fatigue is common and they have workshops, conferences, and retreats to deal with compassion fatigue/vicarious trauma.

The first thing that she taught me was that I need to put myself first. If I am exhausted, I am of no use to my clients, my family, or anyone. She spoke about the teapot needing to be full in order to pour tea out for others. I left therapy with homework. My homework was to do three things over the weekend that would bring me joy. She could have asked me to murder someone and it would have been easier. I seriously couldn't come up with anything. I gave up golf years ago because I didn't have four to five hours to be detached from the world. This rationale is why I gave up most things that I enjoyed: I was too busy solving others' problems or being there for others to be there for myself. I completed her homework, but not until stressing about it all weekend. I ended up with a nice bath, Rice Krispy treats, and moving furniture around in my house. I stumbled on to the big secret to joy that weekend—it comes from the simplest of things. I am happy to say I can easily come up with three things to do everyday to bring myself joy.

Next, I learned how to prevent compassion fatigue with self-care. Honestly, I had no idea what that meant other than taking a bath and getting my eyebrows done. Being an attorney really put me in a good place to help myself here. I started doing research and reading about self-care. After a few years of managing this, I can say that my self-care seems to be

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in the processes designed to help safeguard entrusted funds is good for clients because it ensures that their funds remain protected. Additionally, a collateral benefit to the client of an efficient trust account manager is increased time and energy to focus on the substance of the representation.

### 3. Peace of Mind – Good for Lawyers

There are risks associated with maintaining one or more trust accounts, and those risks can be a source of anxiety for lawyers. Those risks include employee embezzlement and fraud. History has shown that trusted staff upon whom lawyers rely to help manage and maintain entrusted funds may instead help themselves to money in the trust account. In many instances, this embezzlement could have been detected if the lawyer had regularly performed three-way reconciliation of the trust account and quarterly random transaction reviews in accordance with the applicable rules. The same is true regarding discovery of fraud. Increasingly, lawyers' trust accounts have been targeted by external actors perpetrating fraud. In some cases, the fraud is promptly discovered when a rightful recipient of a large sum of money does not

receive payment because a scammer was successful in getting the lawyer to disburse the funds to the thief and not the true owner. However, in other cases, the fraud is more passive and ongoing in the form of spoofed trust account checks for small amounts that can go undetected unless the lawyer regularly performs the prescribed reconciliations and reviews. Another source of anxiety for lawyers is the random audit. Anyone who has ever been the subject of a random audit knows the angst that typically accompanies the news that you will be audited. While nothing can entirely alleviate this stress, confidence in knowing that the trust account is properly maintained and holds the funds you are required to keep in trust for your clients can certainly help minimize any anxiety. I have a friend who is fond of saying, "If your house is clean, you don't mind company." This is true of reconciliation and review as pertains to a random audit—when routinely performed, three-way reconciliation and quarterly random transaction review make the prospect of a random audit less of a concern. As lawyers, peace of mind can be that elusive holy grail. Performing three-way reconcilia-

tion and quarterly random transaction reviews can support peace of mind, at least as it relates to trust account management, thereby moving lawyers one step closer to that seemingly impossible aim. I can think of many reasons why peace of mind is a good thing for lawyers, but I cannot conceive of even one reason why it is not.

There you have it. The case is closed, my argument is finished. I hope I have persuaded you, even if you dread the tasks, that regular three-way reconciliation of the general trust account and quarterly random transaction review of all trust and fiduciary accounts are good things worthy of the routine commitment of your time and attention. Such a commitment is our ethical duty, and regular completion of these acts can increase proficiency and efficiency in the execution of these tasks. Also, regular (at least quarterly) three-way reconciliation of the general trust account and quarterly random transaction review of all trust and fiduciary accounts can help foster lawyer peace of mind. Promotion of lawyer peace of mind is good for you, good for the public, good for the profession, and good for your clients. ■

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## LAP (cont.)

balancing the joys of a 12-year old with the obligations of a 40+ year old. Sleep is first and foremost. I discovered that if I want good sleep, then I need a schedule for sleep, much like my morning schedule to get ready for my waking hours. No matter how good of a parent, attorney, caregiver, or friend that I can be, if I have eight to ten hours of sleep then I can be 500 times better. Second, I deserve just as much love and kindness as everyone else. I buy myself flowers. I skip work on Friday afternoons to watch *Star Wars* and Marvel movies. I really try to connect with the things that I enjoy. I have found that meditation and mindfulness greatly help me connect to finding those things that bring me joy and understanding the things that impede my joy. Lastly, practicing meditation and mindfulness helps me let go of a lot of useless thoughts and worry.

My new self-care regimen also meant a big change at work. I needed to set up and maintain good boundaries with clients. I don't give my cell phone number to clients

anymore. I don't email with my clients on the weekend, and they know upfront to never expect a response from me on the weekend. My clients need to be more invested in their case than I am, and they also need to have good self-care. I have advised lots of clients to seek therapy because I recognize their mental health issues or poor self-care. It makes so much sense because poor self-care can lead to numerous marital issues, thereby leading them to my office. Being more present to my needs has put me in a good place to give my clients really good advice for their lives and inevitably their cases.

I still really enjoy fixing other's problems, but I really enjoy working on my own, too. For years I have heard the remarks about attorneys fixing others' problems and neglecting their own. While that may be true, I also believe that attorneys have a very good skill set for solving problems, even when those problems are their own. As I look back I have enjoyed my learning experience and am so grateful for where I am today. I still want to solve others' problems, especially in the form of sharing my experience to help peers who

may be suffering from compassion fatigue. I am now a LAP volunteer and have shared this story at CLE events. It has been cathartic for me. So many lawyers have told me they relate to my story. It is not so hard sharing now. Not hard at all.

If you think my story sounds even remotely close to what you are going through, please look at the LAP website under "compassion fatigue" for some wonderful info and advice and call LAP. Hindsight being 20/20, if I had looked at that website earlier, then I could have prevented about a year of my suffering and started on the road to recovery sooner. ■

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