

Reducing Stigma to Avoid Chronic Stress & Burnout

Judith Rush, Outreach Manager



1

Program Goals

- Learn how workplace stress can become chronic and recognize the signs of burnout
- Explore how stigma and bias contributes to and results from burnout
- Assess the impact of burnout on competence and other ethical duties
- Develop strategies to effectively manage stress, address burnout, and break the stigma
- Learn how LCL can help

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcl.org



2

Burnout

A syndrome resulting from chronic workplace stress that has not been successfully managed.

- Feelings of energy depletion or exhaustion
- **Increased mental distance from one's job, or feelings of negativism or cynicism related to one's job; and**
- Reduced professional efficacy (World Health Organization)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcl.org



3

Stressor vs. Stress

Stressor – anything you see, hear, smell, taste or imagine could do you harm, which activates a stress response in your body.

Stress Response – the neurological and physiological shifts that happen in your body when you encounter a threat.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcl.org



4

Is Lawyer Stress Different?

- Perfection
- Pessimism
- Isolation & uncertainty
- Vicarious trauma
- Ethical standards

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcl.org



5

Stress Response

Heart beats faster, blood pressure increases, you breathe more quickly, muscles tense, sensitivity to pain is diminished, you are alert and vigilant, your senses are heightened, and your memory shifts to challenge experience and knowledge relevant to the stressor.

Other organ systems deprioritized: digestion slows, immune functioning shifts.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcl.org



6

Chronic Stress→Burnout

Burnout emerges when the demands of the job outstrip a person's ability to cope with the stress. (Maslach)

Your body is waiting for some cue that you are safe from threat. Denying, ignoring or suppressing our stress response results in chronically activated stress response. (Nagoshi)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



7

Distinctive Features (Maslach)

A response to excessive stress at work, characterized by:

- Emotional exhaustion-feelings of being emotionally drained and lacking emotional resources
- Depersonalization- a negative and detached response to other people and loss of idealism
- Personal accomplishment-decline in feelings of competence and performance at work

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



8

The “Drivers” of Burnout (Maslach)

Mismatch in work dimensions

- Workload – high demands, low resources
- Control – lack of choice, discretion
- Reward – intrinsic or extrinsic
- Community – negative, insufficient human interaction
- Fairness – unfair treatment, environment
- Values – lacking connection to values

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



9

Lawyer Ethical Drivers

Workload–high level of skill, attention to detail, focus, time and emotion

Control–judgment, autonomy, discretion in choosing means to serve client objectives

Reward–service, respect, recognition, financial
Community–clients, adversaries, adjudicators, so many others

Fairness–interaction, outcomes, systemic
Values–fairness, excellence, responsibility

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



10

Unfairness is a Driver

The fairness factor that drives burnout can be unfair treatment or the consequence of an unjust environment

- Explicit bias – overt disparate treatment, words or actions expressing bias
- Implicit bias – automatic, unintentional but nonetheless harmful displays of bias against specific social group, including microaggressions.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



11

Defining Implicit Bias

- Implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner.
- These biases encompass both favorable and unfavorable assessments

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



12

What do you think of?

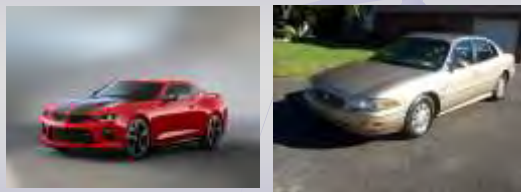


Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



13

How about now?



Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



14

Origins of Implicit Bias

- Activated involuntarily and without an individual's awareness or intentional control.
- Residing deep in the subconscious, these biases are different from known biases that individuals may choose to conceal.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



15

Past ABA President Paulette Brown

Implicit bias can be and is manifested toward those who suffer from mental health issues, depression, anxiety and substance problems in our profession.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



16

Implicit Bias in Legal Workplace

- Client communications
- Jury selection
- Moral judgments
- Hiring
- Promotion
- Rainmaking

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



17

The Role of Stigma

- ABA Hazelden Study found barriers to seeking help include
 - "not wanting others to find out they needed help"
 - "concerns regarding privacy or confidentiality"
- Stigma is the largest barrier to people receiving treatment
- It's a Diversity and Inclusion Issue

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



18

Addressing the Stigma

- Stigma refers to a feeling of disgrace or fear
- Experienced with mental health issue *or just stress*
- The bearer has feelings of shame and isolation
- "I'll do it myself!"
- Education can help with public stigma; personal stigma is tougher – especially for us
- What do you think of?

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



19

Stigma's Impact

- Isolation - No get-well cards
- Shame
- Negative attitudes
- Stereotypes
- Prejudice
- Misunderstanding
- Discrimination
- Indignity
- Hopelessness

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



20

Stigma Affects

- How we visualize people
- How we talk about mental illnesses
- How we think about mental illnesses
- How we treat people with mental illnesses

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



21

Double Stigma

- Those subject to implicit or explicit bias, anticipated or actual, experience greater stress
- Stress predicts mental health issues
- **The legal profession's expectations of majority and non-majority attorneys differ. No second chances.**

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



22

Signs & Symptoms of Burnout

- Mentally exhausted
- Sense of failure and self-doubt
- Feeling helpless, trapped, defeated
- Detached
- Difficulty concentrating
- Chronically imbalanced
- Relationship impact
- Loss of motivation
- Increasing cynical and negative outlook
- Decreased satisfaction and sense of accomplishment

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



23

Physiological Impact

Brain – thinning of the frontal cortex, affecting cognitive functioning, disrupts creativity, problem solving and working memory.

Body – release of cortisol, a stress hormone, into the bloodstream, affecting the heart and every organ in the body

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnici.org



24

Health Impact

High blood pressure
Heart disease
Auto-immune disorders
Fatigue
Anxiety
Depression
Chemical misuse

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



25

ABA Mental Health Data

- 28% met the criteria for depressive disorder
- 18% met the criteria for an anxiety disorder
- 11.5% had considered suicide.

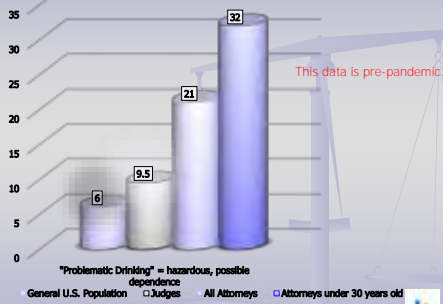
These data are pre-pandemic.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



26

Alcohol Use



Calls Answered 24/7: (651) 646-5590 | (866) 525-6466 | help@mnlcd.org



27

Impairment & Attorney Discipline

"These issues can have major consequences. Studies show that 25% to 30% of lawyers facing disciplinary charges suffer from some type of addiction or mental illness."

2021 Profile of the Legal Profession, (quoting "The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys," J. Addict Med. January-February 2016)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



28

Ethical Impact of Burnout

Competence – missing key details, lack of focus, and impact on memory and judgment diminishes competence.

Zeal – loss of empathy, interest in the client, or in our work impacts ability to be zealous, effective advocates for our clients

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



29

Strategies to Head Off Burnout

- Completing the Stress Cycle
- Finding Meaning
- Managing Stress with Well-being Practices
- Addressing What's Driving Burnout
- Getting Help

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



30

Chronic Stress→Burnout

Burnout emerges when the demands of the job outstrip a person's ability to cope with the stress. (Maslach)

Your body is waiting for some cue that you are safe from threat. Denying, ignoring or suppressing our stress response results in chronically activated stress response. (Nagoski)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



31

Completing the Stress Cycle

First line of attack – physical activity

- Move! Run, swim, dance, walk
- Anything that moves your body enough to get you breathing deeply
- 20-60 minutes a day – every day

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



32

Completing the Stress Cycle

Additional ways to tell your body you are safe:

- Breathe – deep slow breaths
- Interact – casual social interaction
- Laugh – really laugh
- Love – deeper, loving connections
- Cry - release
- Create – paint, sing, draw, write

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



33

The Importance of Meaning

- Work has meaning when we believe
 - It matters
 - Is valuable
 - Contributes to personal growth/greater good
 - Is a good fit with our values
- Primary motivational force
- Largest contributor to engagement (opposite of burnout)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



34

Building Meaning

- Reframing
 - What is/who is the benefit of our work?
 - How does it fit into the overall picture?
- Positive challenge – pushed but not overwhelmed
- Seek variety
- Seek connection

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



35

Managing Stress

"High stress is a virtual hallmark of the legal profession and high rates of suicide, chemical dependency, and depression among lawyers demonstrate that managing stress is a challenge for many. Practicing the mental disciplines of mindfulness, acceptance, and personal authenticity offer a way to quell stress and find greater meaning."

Dyan Williams, "The Practice of Being: Mastering Stress & Finding Meaning as a Lawyer" Minn. Bench & Bar 67(3) (March 2010)

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mnlcd.org



36

Mindfulness and Bias

- Mindfulness and compassion practices
 - Raise awareness in the moment
 - Assist in regulating emotional responses and specifically reducing anxiety
 - Increase empathy and perspective-taking
 - Increase our capacity to think clearly and act with purpose
- All contribute to reducing bias

Source: Professor Rhonda Magee, The Inner Work of Racial Justice

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



37

Wellness Strategies

Wellness strategies won't "cure" burnout but can help moderate stress build-up, preventing chronic stress that causes burnout and improve daily quality of life.

- Sleep
- Mindfulness, Meditation
- Yoga/Movement
- Human Connection

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



38

Moderating stress buildup



Stress-reduction activities

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



39

Wellness Strategies

More wellness activities

- Extreme sports
- Book Clubs
- Running Groups
- Cooking Classes
- Playing in a Band

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



40

Burnout Action Plan

- Identify it: "burning out" / "burnout"
- Talk to a Trusted Colleague
- Assess the Mismatch
- Consider Workplace Options
- Ask for Changes in Work Environment
- Consider Personal Options/Approaches
- Ask LCL for Help

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



41

Burnout Action Plan

Assess the Mismatch Driving Your Burnout

- Workload
- Control
- Reward
- Community
- Fairness
- Values

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@lcl.org



42

How Others Can Help

- We are hard-wired to **need relationships**; belonging
- **Critical to your brain's** feeling of happiness
- Physical touch releases oxytocin



Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mncl.org



43

Breaking Bias & Stigma

- Be openly **supportive** of those working to support well-being
- Do not support jokes or comments about colleagues being weak, etc.
- Develop a good understanding of the potential for unconscious bias and be alert
- Think of your language
- Notice and interrupt

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mncl.org



44

Lawyers Concerned for Lawyers

- Who We Are:
 - **Minnesota's Lawyer Assistance Program (LAP)**
- Who We Support:
 - Lawyers, Judges, Law Students, Legal Professionals, and their families
 - Free and 100% Confidential
 - On average, we help approximately 400 new individuals per year.

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mncl.org



45

Lawyers Concerned for Lawyers Minnesota's LAP

- What We Offer:
 - 24-hour hotline (866-525-6466)
 - Short Term Counseling (up to 4 free sessions per issue)
 - Peer Supports
 - Coaching
 - Support Groups
 - Referral to Community Services
 - Education (CLEs & Law School Outreach)
 - Crisis Intervention
 - Someone to Listen

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mncl.org



46

Partnership with The Sand Creek Group

- Up to 4 free counseling sessions
- Resource website
 - www.sandcreekeap.com
 - Click on "Member Portal & App"
 - When registering use the Company Code "lawyers"
- Contact Sand Creek directly at
651-430-3383 or toll-free: 1-888-243-5744

Calls Answered 24/7: (651) 646-5590 |
(866) 525-6466 | help@mncl.org



47

LAWYERS CONCERNED FOR LAWYERS
2250 University Avenue West, # 313N
St. Paul, MN 55114

(651) 646-5590

Toll Free: (866) 525-6466

Website: www.mncl.org E-mail: help@mncl.org



Calls Answered 24/7: (651) 646-5590 | (866) 525-6466
| help@mncl.org



48

Lawyers Concerned for Lawyers

THERE IS
HELP *and*



THERE IS
HOPE

