



SYNOPSIS - Vibrant Leadership: The Journey Toward Healthy Organizations and Engaged Workers

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Introduction

We are working on changing the culture of our profession to embrace the idea of prosecutor well-being. My presentations focus on exploring the unique and rapidly evolving role of lead prosecutors and their management teams; discussing the evolving definition of competence; exploring ways leaders can promote organizational health and a culture of well-being; and learning about the resiliency toolbox, full of tips for building personal resilience and metabolizing secondary trauma stress.

Part I: The Challenge



- **The evolving role of lead prosecutors.** Today's elected, appointed and chief prosecutors are expected to keep communities safe, the public informed, law enforcement advised, jurors convinced, and their employees productive, happy and engaged. With burgeoning caseloads, challenges stemming from decades of inequality, virulent accounts of police misconduct, long hours, frequent exposure to destructive secondary trauma and set in an intentionally adversarial role, workers are burning-out in droves, becoming disengaged and leaving the profession. Leaders are expected to make it all work seamlessly, all while assuring the masses, staying positive in the public eye, staying within budget and preparing for the next election cycle. And now well-being too?
 - **Well-being is No Longer Optional**, *The Prosecutor* magazine, article by Kirsten Pabst and Mary Ashley, on the impact of secondary trauma, the need for structural resilience and peer support programs, with specific recommendations for prosecutors and leaders.
 - **Optimizing Our Response to Stress**, J. Hollway

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Part I Continued: The Challenge

- **Unmitigated Secondary trauma is destructive & cumulative.** Secondary trauma is the indirect exposure to traumatic material, the essence of a prosecutor's job. Reactions to its cumulative affects vary and are influenced by internal and external factors. Unmitigated, ST can have **profound negative effects** and—especially coupled with other challenges prosecutors face, and can lead to physical, psychological and social problems, including substance abuse, mental health crisis, and chronic diseases, and suicide. We can teach and learn ways to metabolize STS and use it to our benefit.
- Trauma psychologists tell us—and we've seen firsthand -- that those who work with victims of crime for prolonged periods of time often experience symptoms similar to those of PTSD, such as difficulty concentrating, headaches, stomachaches, depression, intrusive images, nightmares, strained personal relationships, fatigue, difficulty sleeping and compromised parenting. Andrew Levin, M.D., Assistant Clinical Professor of Psychiatry at Columbia, wrote, "[T]here is a consensus that STS and VT (vicarious traumatization) degrade the professional's ability to perform his or her task and function in daily life beyond the job."
 - **Institute for Well-being in Law** and the **report** that launched a movement
 - **Vicarious Trauma In Public Service Lawyering: How Chronic Exposure To Trauma Affects The Brain And Body**, Zwisohn, Handley, Winters, Reiter

Part II: Leaders Have an Ethical Responsibility to Ensure Employee Well-Being

- **Competence includes well-being.** MRPC 1.1 requires that lawyers be 'competent,' meaning they possess legal knowledge, have necessary skills and thoroughly prepare. The American Bar Association currently recommends expanding the rule to clearly include lawyers' well-being in the definition of competence.
 - **Well-Being and an Attorneys Duty of Competence**, O. Buchanan-Haker
- **Well-being' is broader than 'wellness.'** Well-being in the work place encompasses 5 health domains: physical, mental/emotional, financial/career, social and spiritual. Leaders and appointed managers are ethically obligated to facilitate their employees' well-being.
 - **Reducing Compassion Fatigue, Secondary Traumatic Stress and Burnout**, W. Steele



Part III: Traditional 'Self-Care' is Inadequate; Workers Must Be Fluent in Resiliency Tools and Techniques

- **Self-care as we know it isn't the answer.** Traditional notions of 'self-care' imply that there is a pathology or depletion that is the responsibility of the individual alone. Self-care must be structural and include teaching resiliency, neuroplasticity skills and burnout prevention. Merely engaging in non-work-related activities will not alleviate STS.
 - [Why Self-care Isn't Enough: Resilience for Trauma-informed Professionals](#), P. Kerig
 - [Why your self-care isn't working](#), S Ali Ph.D., LMHC, NCC
- **Resiliency tools & techniques are teachable skills.** There are four main kinds of tools including Recharge tools (traditional self-care); Connection tools (peer support); Awareness tools (neuroplasticity); and Leadership tools (plausible work landscape).
 - [5 Ways to Boost Your Resilience at Work](#), R. Fernandez
 - [Building Resilience at Work: Quick Tips for Leaders](#), J. Stange
 - Andrew Laue, LCSW, is a leader in secondary trauma response and prevention and the creator and facilitator of the START program, [Secondary Trauma Activates Resiliency](#)
 - John Hollway, at the University of Pennsylvania, is a Senior Fellow at Penn's [Positive Psychology Center](#) and an [Associate Dean at Penn Law](#). He has a particular focus on helping lawyers and legal organizations implement programs that help lawyers flourish, and experience working with prosecutors on quality improvement initiatives. John speaks and consults regularly on these issues to groups of all sizes.

Part IV: The Responsibility of Leadership

- **Promote a culture of well-being.** Start with your mission statement. Refine your core values and incorporate the facets of well-being into your mission statement. Lasting change must be structural and may require you to adjust your expectations.
- Erika Tullberg, an expert on secondary trauma and assistant professor at New York University's Child Study Center explained the importance of making changes at the institutional level. Tullberg said, "The most important component of mitigating the impact from secondary trauma (and the best way to limit employees from developing it in the first place) is through organizational changes." American Bar Association, Child Law Practice, Understanding Secondary Trauma, Vol. 34. No. 9, Sept. 2015 (pg. 136).



Part IV Continued: The Responsibility of Leadership

- **Ensure a plausible work landscape [PWL].** The prerequisite to organizational health includes hosting a PWL, in which leaders teach resiliency skills, foster peer connections, keep workloads manageable, offer respite to prevent burnout, provide opportunities for self-care, and whole-heartedly respond to crisis. Most importantly, leaders must secure funding to control caseloads.
 - **Prosecutor workload management** is a serious concern
 - **Attorney burnout: The high cost of overwork**, D. Williams
- **Provide training and support.** Training substantive; stress management; secondary trauma; resiliency skills. Foster peer support. Implement formal peer support program.
 - **Webinar Series on Prosecutor Well-being.** Well-being Webinar series. NDAA is sponsoring a Prosecutor Well-being webinar series, free for NDAA members and a nominal cost for non-NDAA members. These are being held live, but are also recorded for viewing at another time. **Click here to register.**
 - **Trauma-Informed Prosecution Training**, Institute for Innovation in Prosecution. The Trauma-Informed Prosecution Project offers guidance for prosecutors to incorporate trauma-informed best practices into their work in order to serve crime survivors, witnesses, people accused of crimes, and all community members.
 - **The 3 Ps of Wellness**, M. Ashley
- **Funding.** Many programs are inexpensive, others may require budget enhancements. Some **grants** may be available.





Successful Well-Being Options From the Field

- **Secondary Trauma Group**, Missoula County Attorney's Office
Our Secondary Trauma Group has four major components— Orientation; Development of Group Culture of Trauma Resiliency; Integration and Impact; and Case-Specific Trauma Response Teams, involving prosecutors, jurors, advocates and law enforcement.
We've created a Resiliency Toolbox full of resources employees can use to mitigate the impact of secondary trauma and maintain a positive work-life balance. We've also been able to offer case-specific post-trial trauma processing for jurors, our law enforcement partners and our litigation team.
- **Montana Public Radio feature on Secondary trauma Program**
- **Peer Support Network**, San Bernardino DA's Office
- **Colorado Well-Being Recognition Program for Legal Employers**, Boulder County

Other Suggestions and Ideas

- Offer a rotating temporary "recovery" position
- Start an informal peer support program
- Define well-being activities as job duties, paying people for time to exercise; expand benefits to include well-being costs such as gym fees, lifelong learning classes, etc.
- Monitor employees' caseloads & vacation banks
- Start an employee engagement committee [EEC] to organize social events, retirements, births, etc.
- Start an employee well-being committee
- Create a culture of turning off work when off duty
- Create a better benefit and pay structure and work culture that promotes retention and lessens burnout.
- Develop policies and procedures around well-being, mental wellness & responding to mental health issues.
- Include background checks, emotional intelligence and other quantifiable metrics to select the most suitable candidates.
- Provide continuous mentorship, evaluation, and adult education programs during onboarding and after hire
- Provide an anonymous space to relay constructive criticisms and also identify and remove toxic personnel or leadership.

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Resource Links

- ABA page to [lawyer assistance crisis hotlines in each state.](#)
- NDAA's Prosecutor Well-being blog, [***In Recess***](#)
- Andrew Laue's START program ([Secondary Trauma Activates Resiliency](#))
- [Suicide prevention programs by state](#)
- [National Lawyers Assistance Program](#)
- [Alcoholics Anonymous](#)
- [Lawyers with Depression](#)
- [The Ranch Treatment Program](#)
- [Bradford Treatment Program](#)

Additional Resources and Articles

- [The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#)
- [Prosecutor's Center for Excellence](#)
- [Vicarious Trauma Toolkit](#), Office for Victims of Crime
- [12 Signs You Might Have Secondary Traumatic Stress](#), Katie Wolf

