

Towards Humanizing Legal Experiences

Acknowledgment of emotions as a crucial tool for trauma-informed skills:

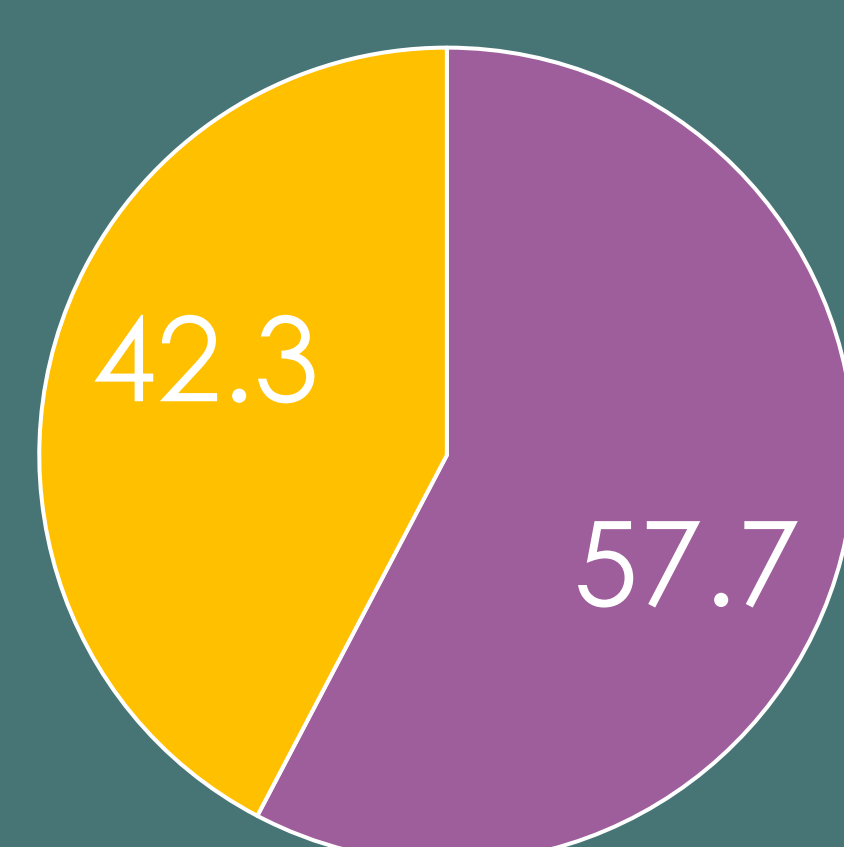
- Lawyer can examine own emotions and implicit biases
- Emotion acknowledgment w/o judgment
- Healthier emotional management to improve mental health and adaptation to changes
- Consistently high statistics for lawyer mental health challenges and substance use may be due to emotional suppression
- Individual based mental health services not enough, need broader change in legal culture and work expectations
- Can reduce harm and humanize legal systems, meet people where they are at
- Foster empowerment in clients
- Reduce/address vicarious trauma and stress for lawyers
- Bolster lawyers' personal intentions and values
- Equip lawyers w/ tools towards healthier and long-term sustainable practice

What is trauma?

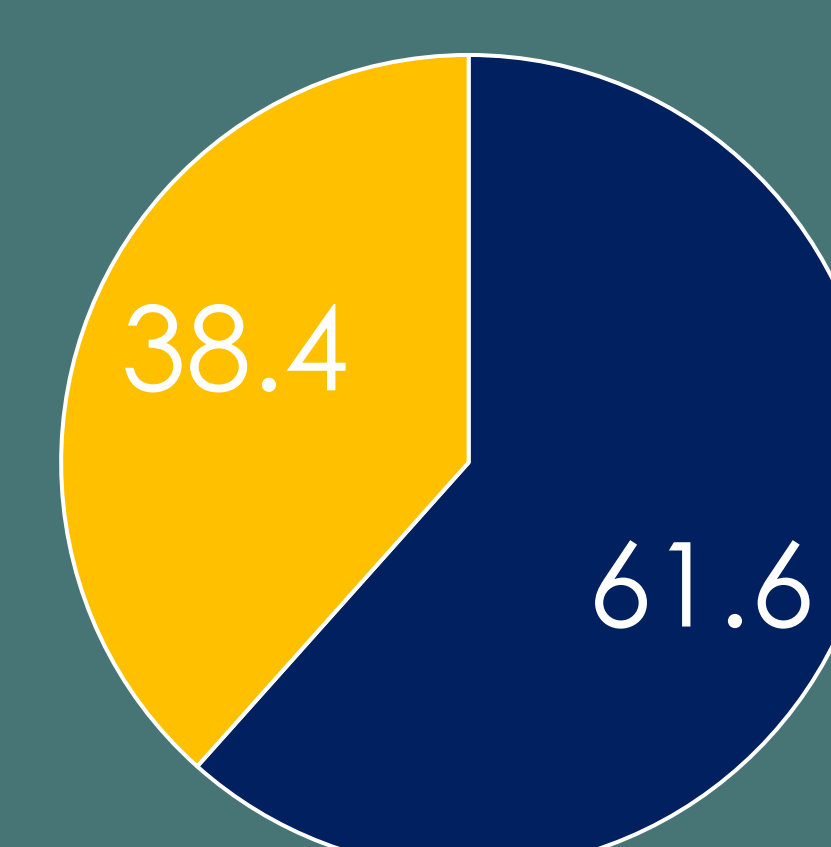
- Trauma is a subjective experience w/ "lasting adverse effects on functioning and mental, physical, social, emotional, or spiritual well-being"
- Hard to pinpoint b/c people are not always aware they are impacted
- Experiences that cause trauma differ greatly, depends on individual context
- When untreated, can lead to hypervigilance for danger, lapses in memory, focus, etc.

Lawyers need not be psychologists; taking on a general trauma-informed approach for all interactions avoids issue of whether someone is traumatized.

Prevalence



57.7% of children aged 17 and younger experienced (directly/indirectly) a traumatic event in the past year – American Study



61.6% of interviewees aged 45-85 have been exposed to at least one traumatic event in their childhood – Canadian Study

Theories on why lawyers tend to avoid emotions:

- A legal career is already stressful and acknowledging emotions is often considered unnecessary, weak, or inconvenient/too much
- Hard to process, overwhelming in a profession that rewards stoicism and semblance of control
- Some emotions accepted while others not, some people can express emotions w/o negative impact due to gender, race, power status
- Law uses an outdated and colonialist understanding of human behaviour: rationality as separate from emotion.
- Law demands perfection, including a "perfect" solution to harms in legal practice and systems, eliminating creativity in solutions

Suggested Approach

Acknowledge Emotions

- Notice emotions as they arise and w/o judgment, name out loud or share with a friend/colleague

Be Curious and Self-Reflective

- Question self – "Why am I feeling/reacting this way?"
 - "Is my reaction proportionate to the event?"
- Understanding leads to addressing behaviour clearly and healthily instead of ignoring/suppressing/self-criticism

Create Space

- Recognizing and empathizing with self leads to empathy and understanding towards clients
 - Instead of avoiding/ignoring/enmeshment w/ client
- Recognizing perspectives are different for others, especially due to gender/race/class/sexuality
- As part of addressing TRC: Calls to Action: "Transformation and change doesn't begin out there. It begins in here... Individually changing yourself." – Honourable Judge Steven Point at the Truth and Reconciliation Symposium: truth-telling and sparking change

Result

- Trauma-informed practice by humanizing legal practice, extending this outward to clients, legal culture, and legal systems towards long-term sustainability