n the gray, morning light of late January, the law school lobby overflowed with first-year students who had just received their first-semester grades. I heard one young woman in the middle of a cluster of classmates say, “This is horrible! My grades are terrible! I think it would be best to kill myself!” The other students reassured her even though they were frightened by her statement and uncertain how to respond.

“Many people feel bad about their grades today,” one student said. “If you would seriously end your life over a disappointing grade, you need to seek professional help.”

Our response to failure, disappointment, and frustration

Legal education, training, and practice require the legal professional to deal with failure, disappointment, competition, and generous amounts of frustration. This constant stress encourages perfectionism and negativity. Everyone responds to setbacks differently based on their disposition, genetics, family dynamics, and personal coping strategies.

Legal education and training also emphasize valuing cognition over emotion. Moving about in this milieu, which can sometimes cultivate a caste system of the elite and the non-elite, can be daunting. Studies regarding the emotional well-being of law students indicate that within three months of beginning school, subjects have lost touch with what they intrinsically find pleasant. They quickly learn to value themselves and their accomplishments through the lens of expectation and competition. Unfortunately, this effect does not dissipate once they’ve earned their law licenses.

How can we respond to these setbacks in a positive manner? How can we absorb the disappointment, recognize and accept our limits and the limits of the situation, and proceed with hope?

Self-compassion

Kristin Neff wrote in *Psychotherapy Networker* that “[s]elf-compassion…includes an element of wisdom-recognition of our common humanity. This means accepting the fact…[we are] just as likely as anyone else to be hit by the slings and arrows of outrageous…misfortune.” She points out that people feel a responsibility to show compassion or care for others, but often stop short of offering the same to themselves. Often, those who are most caring toward others leave little time to consider their own needs.

Neff sets forth five myths about self-compassion:

1. Self-compassion is a form of self-pity.
2. Self-compassion means weakness.
3. Self-compassion will make me complacent.
4. Self-compassion is narcissistic.
5. Self-compassion is selfish.

Research indicates that people who have realistic expectations of themselves and their circumstances ruminate less and are more able to focus on proactive efforts to improve their circumstances. Contrary to self-pity, they are better equipped to accept disappointment and move forward. Self-pity can trap people in a futile cycle of second-guessing previous choices.

Understanding the challenges we face and holding on to reasonable expectations of managing these challenges is not a sign of weakness. No one wins every battle. Attorneys preparing for trial can push through with inadequate sleep and work until exhaustion only to blame a poor outcome on fatigue. Or they can have self-compassion and accept they are mere mortals needing sleep, food, and family time even when preparing for trial. Recognizing our needs and having expectations based in reality are strengths.

Does it seem like understanding ourselves and accepting the reality of difficult challenges would cause weakness? When you speak with a new law graduate about to take the bar exam, does your understanding of the difficulties of the exam and your interest in the applicant’s manner of thinking, preparation, and mental attitude weaken the test taker? Your compassion for this person who is about to endure two or three days of an ordeal allows the individual to be less judgmental of himself or herself and relax and enjoy the challenge rather than dread it. It does not foster weakness.
Attorneys need emotional intelligence—it makes them more comfortable in their own lives, increases their effectiveness on the job, and allows them to help more people without suffering burnout.

Neff compares self-esteem to self-compassion. She states, “Self-esteem is a positive evaluation of self-worth, while self-compassion...is a way of relating to the ever-changing landscape of who we are with kindness and acceptance....” She wonders if the increasing levels of narcissism researchers have identified in college students is an effect of too much parental emphasis on self-esteem, noting studies that showed people with high levels of self-esteem became upset when they received neutral feedback on their efforts; the idea that they were average was perceived as a negative. People with high self-compassion were not upset by neutral feedback.

It seems that attorneys are particularly poor at caring for themselves. Their careers require them to engage with others, understand others’ legal challenges, and intervene on their behalf. They often endure criticism or hostility from those they represent because clients may be unhappy with the outcomes of their cases. In a field where dealing with the disappointment of clients is constant, demands on time and energy are often unreasonable, and there is little time for personal interests, how might self-compassion allow attorneys to better cope with their many challenges?

Studies of therapists susceptible to vicarious trauma indicate those low in self-compassion are more likely to suffer burnout. Those high in self-compassion are less likely to suffer burnout even though they work with similar clients. It appears that individuals who are capable of having compassion for themselves and treating themselves with kindness inoculate themselves from burnout. How this happens is still being studied, but the effects have been noted.

Attorneys also suffer vicarious trauma. We listen to difficult stories of abuse, family disruption, financial catastrophes, raging conflicts, and more. How can we inoculate ourselves from burnout or vicarious trauma? It may take some time and effort, but it’s worth it. Attorneys need emotional intelligence—it makes them more comfortable in their own lives, increases their effectiveness on the job, and allows them to help more people without suffering burnout.

Resources

How does one cultivate self-compassion? Neff provides numerous resources at www.self-compassion.org including a self-compassion test, research articles, and videos. As you begin 2016 with the wish for renewal and recommitment to your professional life, visit Neff’s website and give some thought to how kind and compassionate you are to yourself.

ENDNOTES
2. Id. at 34.

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