

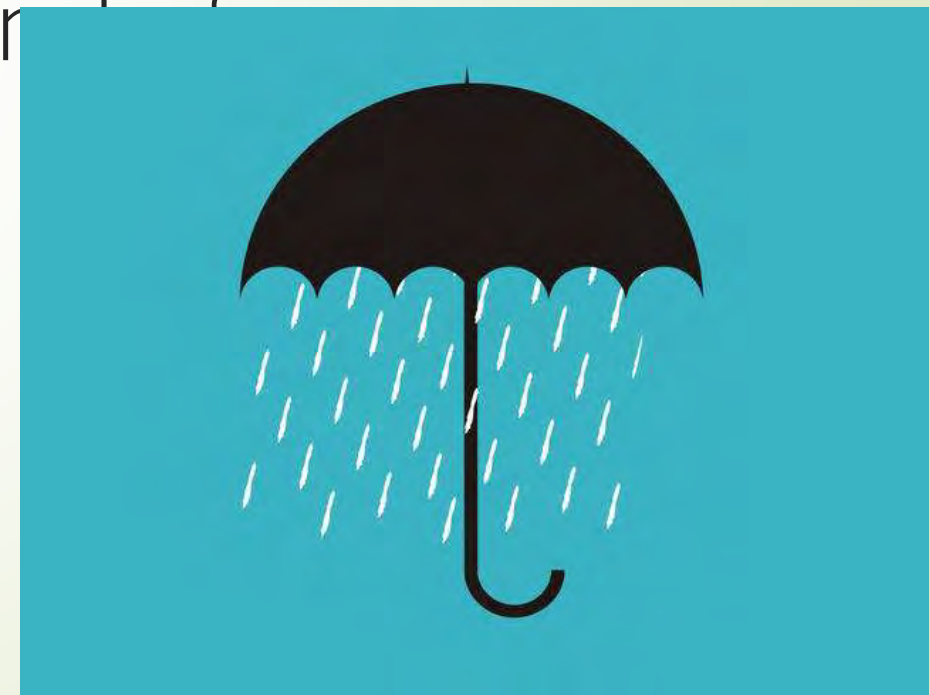
*“SHIFT to a healthy
Sovereignty---TO SELF CARE
& BALANCE ON THE
BENCH”---* (Trauma, Compassion
Fatigue, and the day to day grind of
hearing cases....”)

TANANA CHIEF'S TRIBAL COURT TRAINING

Justice Cheryl Demmert Fairbanks,

UNM Native American Budget and Policy Institute

2019



Sovereignty begins at home....


Cheryl Demmert Fairbanks



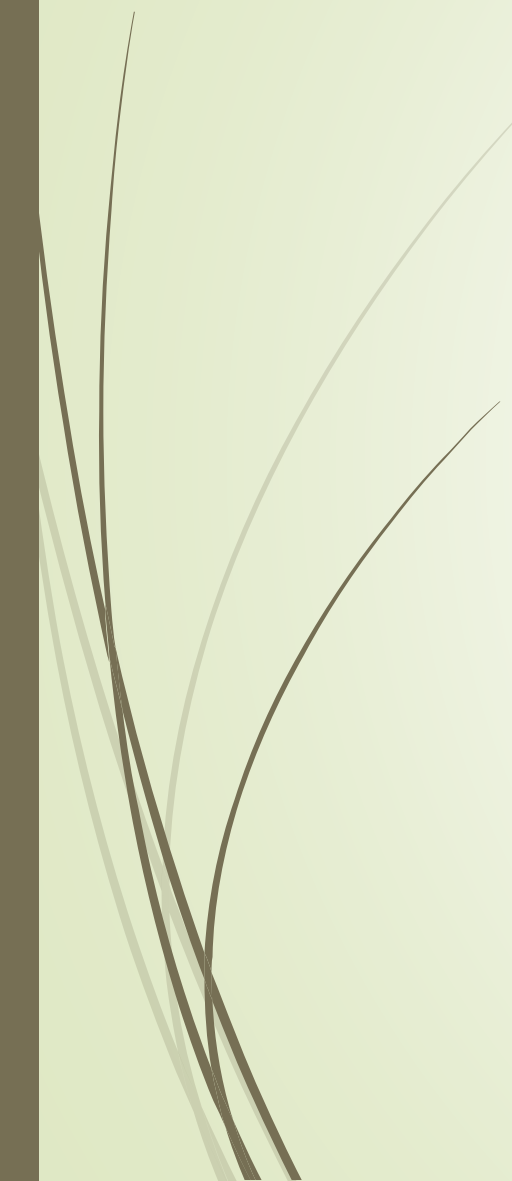


“The expectation that we can be
immersed in suffering and loss daily ...
and not be touched by it...
is as unrealistic
as expecting to be able to walk through
water without getting wet!”

~Remen, Rachel, “Kitchen Table Wisdom: Stories that Heal (1996).



Moving towards therapeutic JUSTICE:

- Cases do take their toll on us
 - And can also impact our families and friends
 - Repeated hearing cases involving child custody, divorce child abuse mental illness, homicide and dv does affect us in many ways
 - Results in “compassion fatigue” & or “vicarious trauma”.
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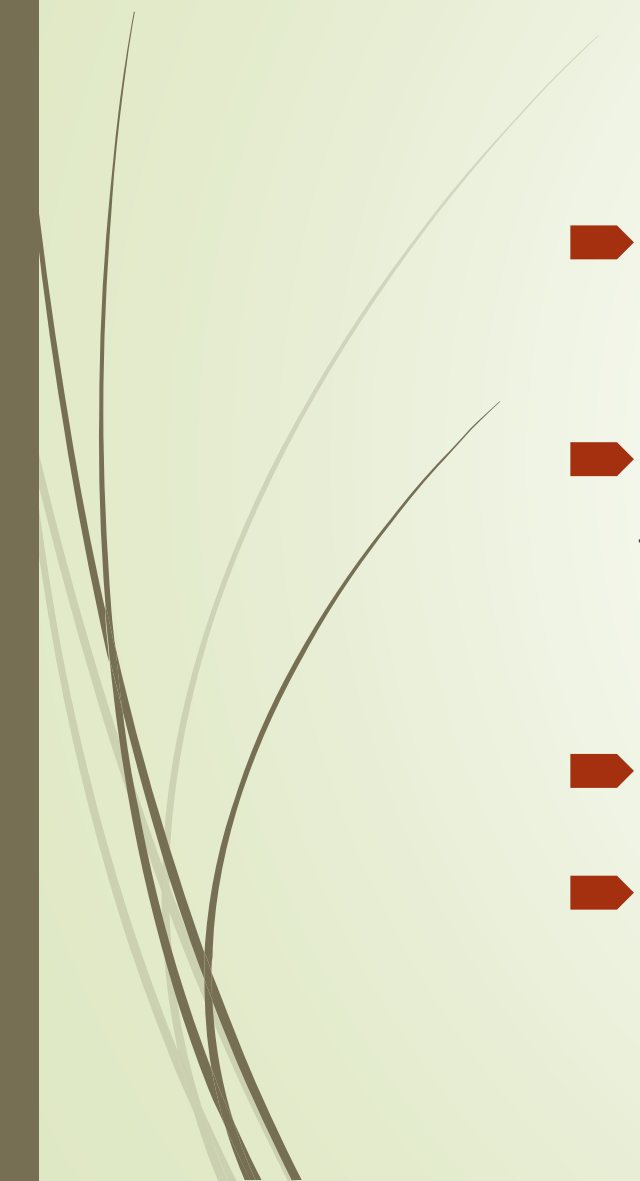


Fatigue and vicarious trauma---

- ❖ 500 judges surveyed
- ❖ Effect of court calendar on them
- ❖ 105 judges responded
- ❖ 63%-yes work related compassion fatigue



What is vicarious trauma?

- The experience of bearing witness to atrocities committed v. another
 - Result of absorbing the sight and sound, touch and feel of the stories told in detail by victim
 - Can result in instant physical reaction
 - TRIGGERS....
- 



Disrupts your deeply held beliefs:

- The professional comes to doubt deeply held beliefs about safety and the inherent kindness of others.
 - Richardson, Jan, Guidebook on Vicarious Trauma, National Clearinghouse on Family Violence (2001)
 - (THE JADDED EFFECT.....)

Compassion Fatigue Definition

Professional

“The notion of being burned out by the *kind* of work that you do, the kind of patients and families that you deal with and the residue from ministering to those hurting people”

(Health Chaplains Ministry Association [HCMA], 2005, ¶ 4).

Care Giver

“It is not about problems and hassles at work, but it is about the stress associated with the clients you deal with” (HCMA, ¶ 4).





Does this sound familiar?

- Practioner works relentlessly for their client, often sacrificing their health and private life to devote more time to a case.
- Passionately involved in h/h work, often staying late at the office, skipping lunch and/or breaks in an effort to help clients.
 - Pulido, The Cost of Caring



What is compassion fatigue(CF)?

- In judges- it is the result of vicariously becoming worn down and
- emotionally weary from hearing about and
- dealing with situations where people have been physically and emotionally injured,
- hospitalized and all too often killed.




What are the symptoms of CF?

- Internalized symptoms
- Sleeplessness
- Eating disturbances
- Increased anxiety
- Depression
- hypervigilance




External symptoms of CF

- Increasingly angry
- Irritable
- Intolerant of others
- Fearfulness
- Security consciousness
- Inability to make prompt decisions
- Increased difficult focusing/concentration



Frequency and acuity of the symptoms:

- Elevate when we are responsible for the lives of others
- Spouses and SO report that we suffer more symptoms than we are willing to self-report... does that sound familiar?
- CF seems to peak at the 7 year mark
- We must address before the 7 year mark.....☺



Cumulative impact of long term exposure:

- To disturbing things
- Accident victim photos
- Victim impact statements
- 911 call evidence
- Trial and sentencing hearings

Indigenous peoples have been impacted by: Historical Federal policy:

- Sovereignty intact---treaty making era
- Removal-the forced removal of Indian people from their homelands-1838-forced migration of 12,000 Cherokees—4,000 perished—known as the “trail of tears; YAN, Choctaw-loss of children, elders and total families
- Reservation-designed to civilize the Indian-isolated land base;-use of military and civilian agents; destroyed an Indian way of life and US obtained major land holdings. Courts of Indian Offenses were authorized;
- Allotment-160 acres-everyone would be a farmer; major decline in total amount of Indian land and served to justify the non-Indian take over of Indian land;
- IRA-model codes and boiler plate constitutions; replaced traditional governments; Aunt Naomi—“the polls are open”!
- Termination-P.L. 280-extended state civil and criminal jurisdiction into five states; enhanced state role; Loss of language; Movement to the cities—relocation; ICRA; Indians are the most regulated citizens
- Self-determination-P.L. 93-638—Santa Fe Indian School; Mississippi Band of Choctaw;
- Self-governance-revitalization of traditional governments, language and culture;



What is HT? (THE IMPACT OF HARSH FAILED FEDERAL/STATE POLICIES)

- Cumulative
- Emotional &
- Psychological
- Wounding
- Across generations
- Including the life span
- Which emanates from massive group trauma
 - Maria Yellow Horse Braveheart



Historical Trauma

Actual Trauma

Vicarious trauma

Warning Signs of Compassion Fatigue in Staff



Developed by Christina Clarke, MS, HS-BCP, Coordinator of Continuing Medical Education and faculty, Wake Forest School of Medicine, Northwest AHEC



The result:

■ “involves burnout plus a negative shift in one’s world view.”

■ Defoe, Dan, Psycholawlogy, “Judges [and Lawyers], Compassion Fatigue, and Tools to Respond Effectively,” (July 3, 2014)



Find person next to you and discuss:

- reflect and jot down ,moments where you experienced VT and or CF:
- What did it look like?
- How did it affect you?
- How did you manage?
- What might you do differently?



VT

- Vicarious traumatization (VT) is a transformation in the self
- of a trauma worker or helper that results from empathic engagement with traumatized clients and
- their reports of traumatic experiences.
- Its hallmark is disrupted spirituality, or
- a disruption in the trauma workers' perceived meaning and hope.

CF:

- Compassion fatigue,
- also known as secondary traumatic stress (STS),
- is a condition
- characterized by a gradual lessening of compassion over time.



Exacerbate CF and contribute to lower morale:

- Poorly run courts
 - TOXIC work environments
 - “energy drainers”
 - Inefficient judicial administration
 - Systemic glitches
- 



Coping strategies...MOVE TOWARDS HEALING AND OUR WAY OF LIFE:

- Something beyond “golf and alcohol”
 - Physical activity
 - Rest
 - Relaxation
 - Positive social contacts
- 



ABC's of CF prevention and avoidance:




Awareness^{*}




Balance



Connection



^{*}most critical factor b/c we work long hours, cluttered office and car—no time for normal pursuits; Plus poor physical health and issues with family exacerbate;



We have been facing the wrong way:
Balance and connection = important

- Judges find strength in their communities
- Their cultures
- Their faith
- Their colleagues
- And their families



BUFFERS: turn around....&....


SHIFT to our core tribal values:

- healthy sense of HUMOR
- respect
- Active listener
- Adequate sleep
- Friendships
- Hobbies
- Vacations
- Healthy team environment, supervision, support

SOUTHEAST TRADITIONAL TRIBAL VALUES

“OUR WAY OF LIFE”

- Discipline and Obedience to the Traditions of our Ancestors
- Respect for Self, Elders and Others
- Respect for Nature and Property
- Patience
- Pride in Family, Clan and Traditions is found in Love, Loyalty and Generosity
- Be Strong in Mind, Body and Spirit
- Humor
- Hold Each Other Up
- Listen Well and with Respect
- Speak with Care
- We are Stewards of the Air, Land and Sea
- Reverence for Our Creator
- Live in Peace and Harmony
- Be Strong and Have Courage



AWARENESS: compliance with our core values or should we ignore?
(giving credence to our way of life...)

- Judges must be alert to CF
- Establishing clear boundaries
- Acquiring key coping skills
- Balance the rigors of work



“take stock”

- Realize this work is not for everyone
- Rotate into other less stressful calendars
- Take time off
- sabbatical



AWARENESS:

(bringing our oral tradition, customs and **traditions...in a contemporary context**)

- Reassess being a judge
- Continually attend to physical and emotional health in a rigorous and disciplined way
- Holding ourselves personally accountable as well as holding others legally responsible.
 - Town, Mike (Judge), Compassion Fatigue, Judicial Wellbeing, "Is Compassion Fatigue an issue for Judges?" (2004).

Including the traditional....

31



As well as the contemporary: Remember: When working with persons that may need extra assistance – put on your oxygen mask first and then assist those around you!



From the peacemakers: SPIRITUALITY
Reflect! Renew! Refresh! Redirect!




Self-care? No. Extreme Self-care!





Fitness to practice law: knowledge, skill, preparedness, and thoroughness outlined in the Rules of Professional Responsibility.

THE RULE OF "SELF CARE....EXTREME SELF CARE!"



YOU: use your UNIQUE style and
“voice”...*WE ARE THE INDIGENOUS
PEOPLE....WE SHALL REMAIN...*

- Effective, Healing & Healthy
- Authentic and Indigenous
- Real: from our indigenous perspective
- Positive: from our ancestors, family & community
- Civil: THE RULE OF RESPECT
- Courteous, kind and *be zha yah....*
- Personal style in a particular community's
judicial culture: RESPECT FOR OUR WAY OF LIFE







THINK HAWAII CDF---next trip.

A purple candle is on the left, and a purple rock is on the right. The background is a blurred image of a plate with food. The text "It is safe for you to rest." is written in white cursive in the center.

*It
is safe
for
you to
rest.*

Inky Paws Art



A word cloud centered around the term "Self-care". The words are arranged in a circular pattern around the central text, with varying font sizes and colors (blue, red, and grey). The words include: Relaxation, Supervision, Consultation, Support, Mindfulness, Knowledge, Energy, Exercise, Resilience, Compassion, Empowerment, Healthy coping, Meditation, Balance, Skills, Fitness, Healthy, Wellness, Healthy limits, and Empathy.

Empathy

Support

Relaxation

Supervision

Consultation

Healthy

Fitness

Wellness

Healthy limits

Mindfulness

Knowledge

Energy

Exercise

Resilience

Compassion

Empowerment

Healthy coping

Meditation

Balance

Skills

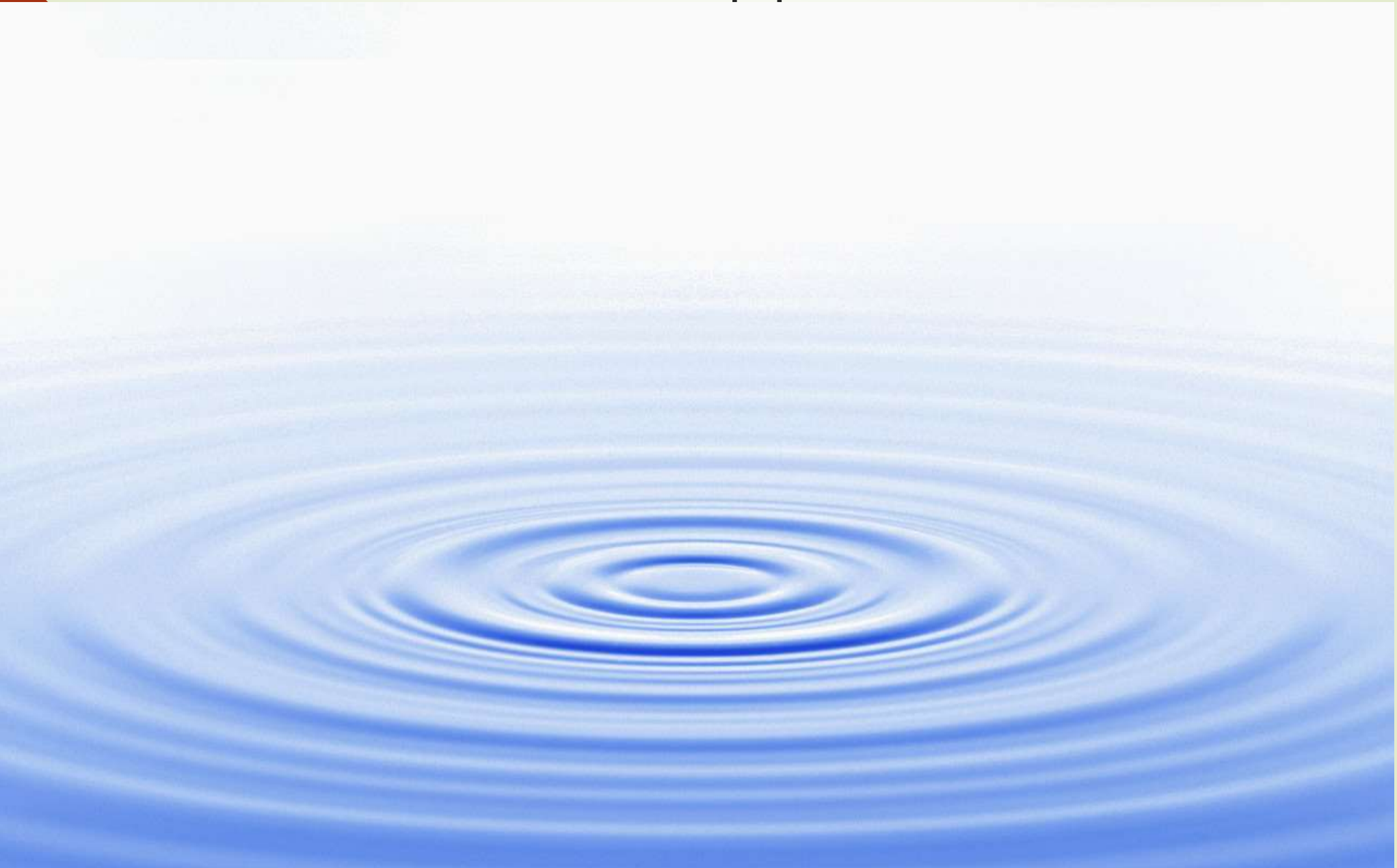
Self-care

We are resilient:



You....can be the ripple effect:

4.





Sovereignty begins at home....

Cheryl Demmert Fairbanks







Goolneshcheesh: & REMEMBER:

SELF CARE: YES, EXTREME
SELF-CARE:

WE ARE RESILIENT.....

