

Asylum Attorney Burnout & Secondary Traumatic Stress

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Wake Forest Law Review
Symposium

The asylum seeking process & asylum lawyering

- Most asylum seekers are survivors of trauma/torture
- Inherently traumatic process
- Forced to re-tell traumatic events of persecution
- Great detail required to establish credibility
- Dehumanizing detention conditions
- High stakes cases- often life or death
- Demand for services very high
- Ineligible for federal/state benefits
- Refugee Roulette - disparities in adjudication
- Remedy - asylum does not cure all ills
- Feelings of complicity in a dysfunctional xenophobic & racist system

The last four years and attacks on our asylum system...

- “Metering” and turnbacks at the border
- Family Separation & Zero Tolerance
- Asylum Ban 1.0 & Asylum Ban 2.0 – “The Transit Ban”
- Migrant Protection Protocols – “Remain in Mexico”
- AG decisions to undermine protection for people fleeing gender and gang-related violence
- Asylum Cooperative Agreements
- Fees for asylum & new rules for work permits
- Pedantic rejection of applications
- COVID ban at the border
- Numerous sets of of proposed regulations



What does all
of this mean
for advocates?

The Loneliness of the Immigration Lawyer

Immigration attorneys say they're battling Trump's 'war of attrition.' If he's re-elected, some may reconsider the work altogether.

BY MARCIA BROWN OCTOBER 29, 2020

No End in Sight

What happens when immigrant-rights advocates reach a breaking point?

By Lauren Markham, Illustrations by Jen Renninger

Analysis

How Immigration Attys Are Battling Burnout Under Trump

By **Nicole Narea** | July 29, 2019, 7:16 PM EDT

I'm An Immigration Attorney In Trump's America And The Stress Took Over My Life

After months of working exclusively with asylum-seekers under the Trump regime, I was experiencing the telltale signs of compassion fatigue.

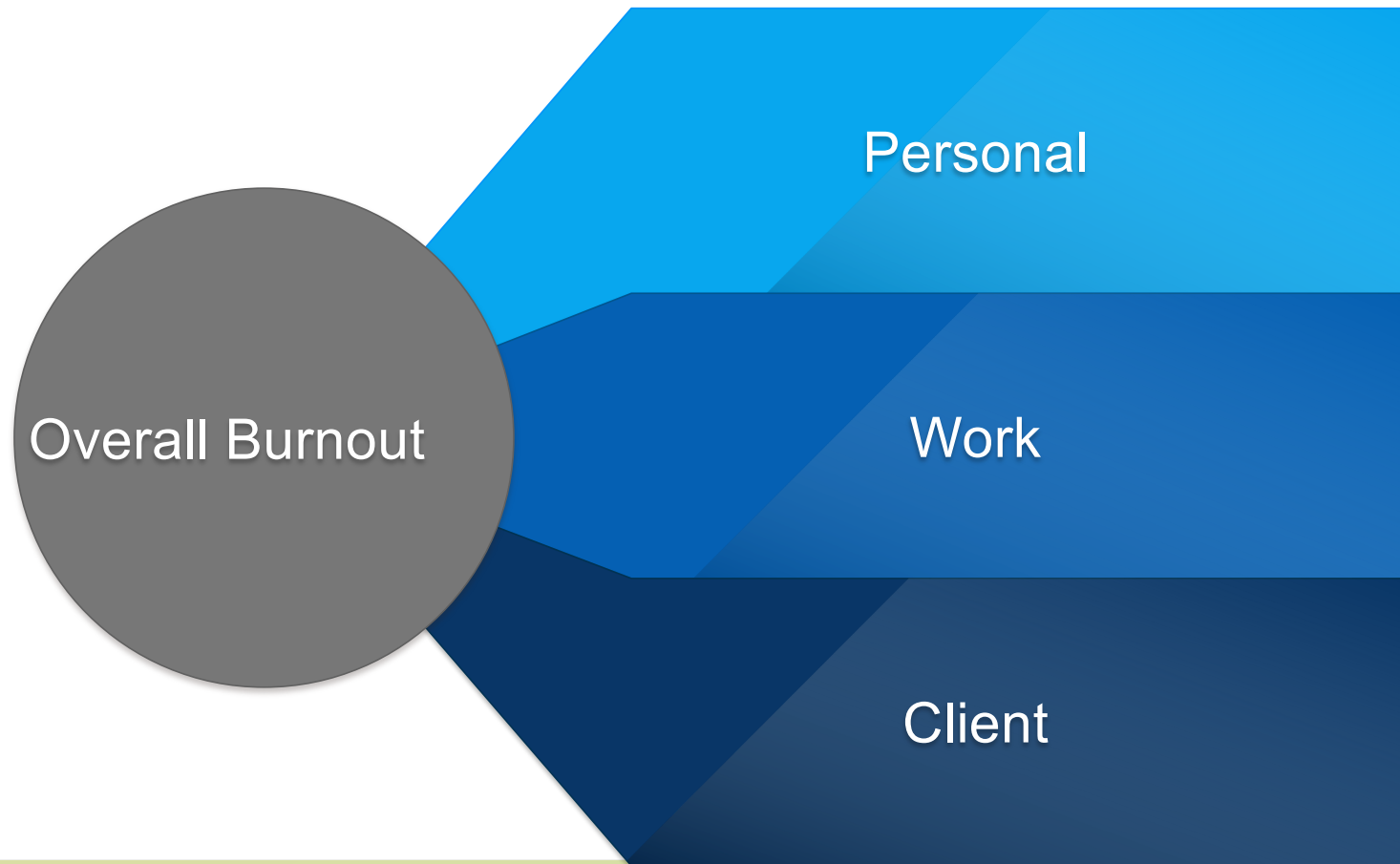
National Asylum Attorney Survey 2020

- A survey completed by 718 asylum attorneys between Feb. 25-May 15, 2020 *COVID-19
- Questions using the Copenhagen Burnout Inventory & Secondary Traumatic Stress Scale
- One open ended question at the end
- Attorney characteristics- age, race/ethnicity, gender/identity, circuit courts, office size & type, support staff, volume of asylum cases, weekly work hours.

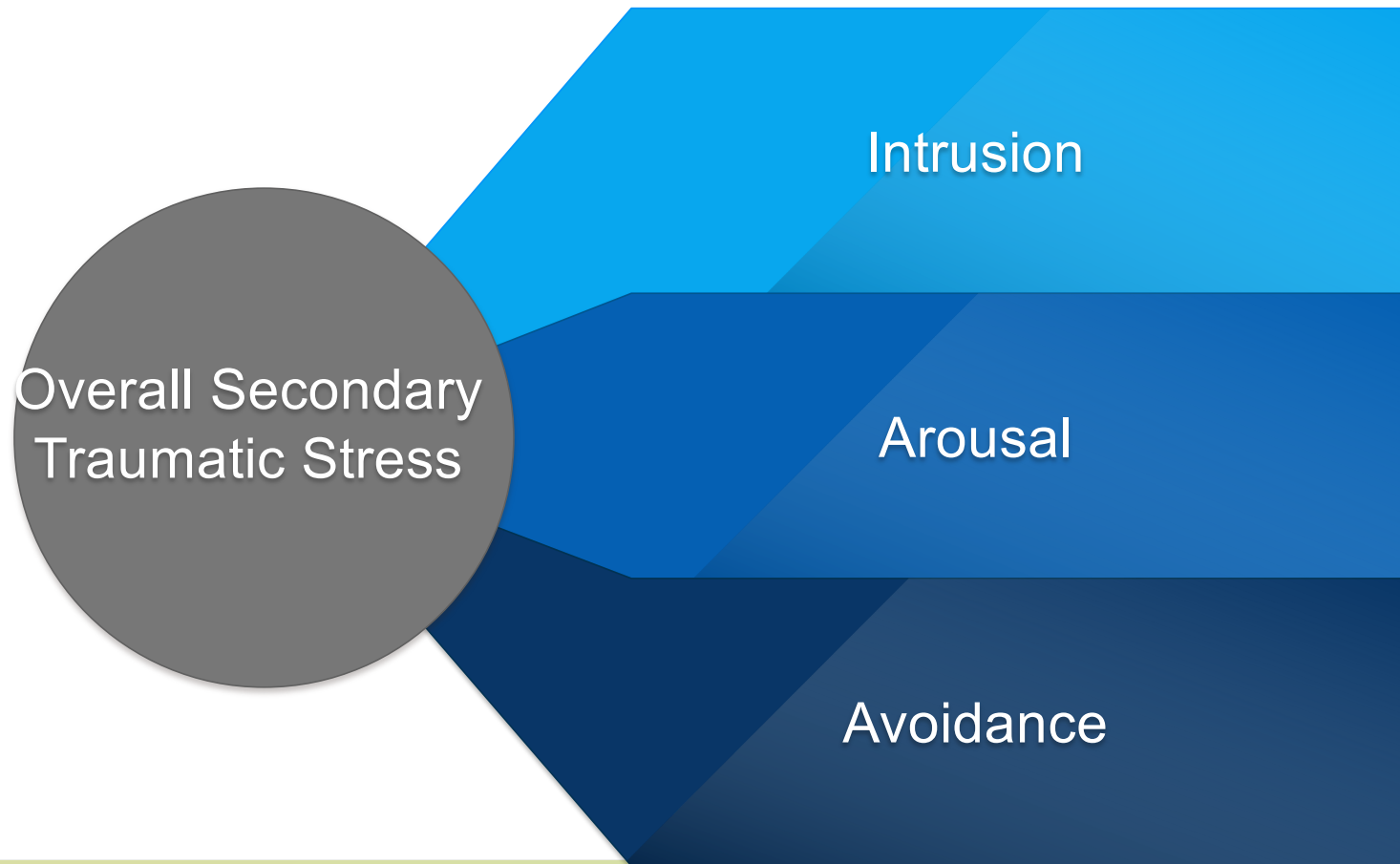
"I think this administration has created a generation of public service workers with serious PTSD from the absolute chaos and horror of the changes in the immigration system. It feels like we are all drowning and there is no one to save us."

"It's like hacking away at a cement wall with a plastic spoon. There are no words to describe how awful it is to tell a client they have to go back to the place where they are in so much danger, that the law doesn't protect them - especially after we grow so close to our clients."

Copenhagen Burnout Inventory (0-100 scale)

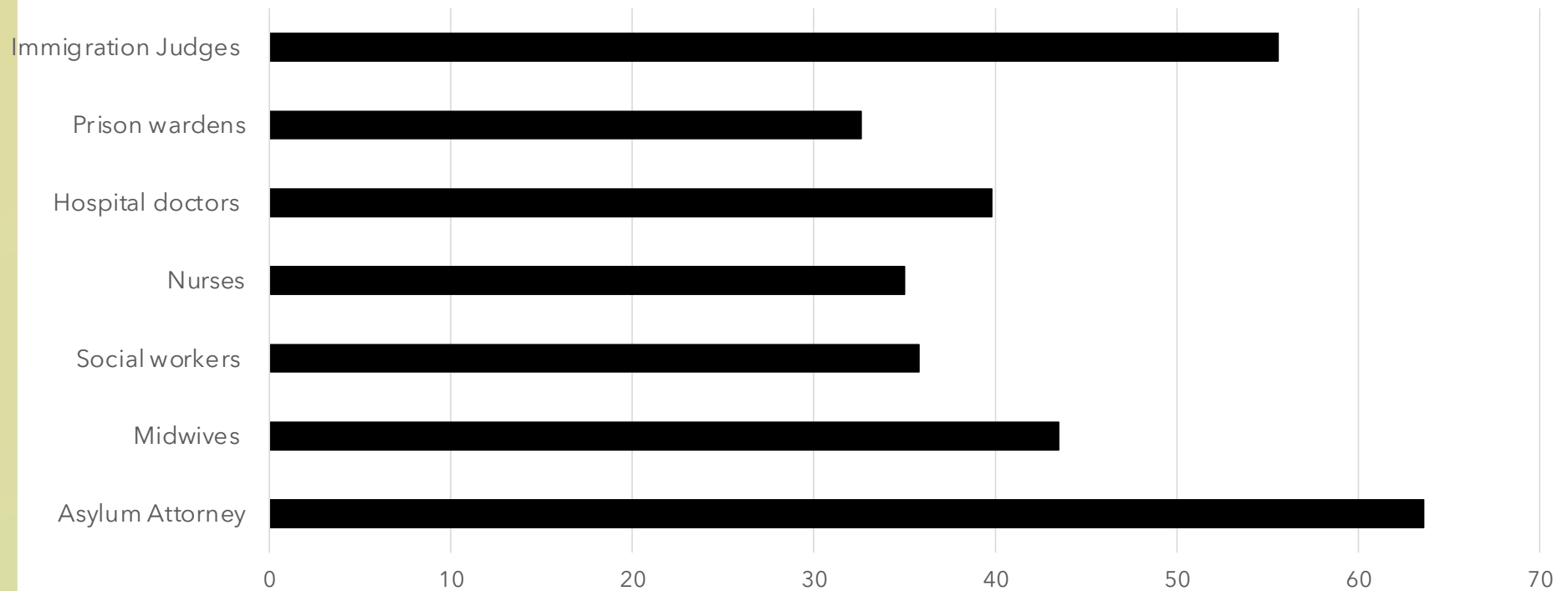


Secondary Traumatic Stress Scale (1-5)

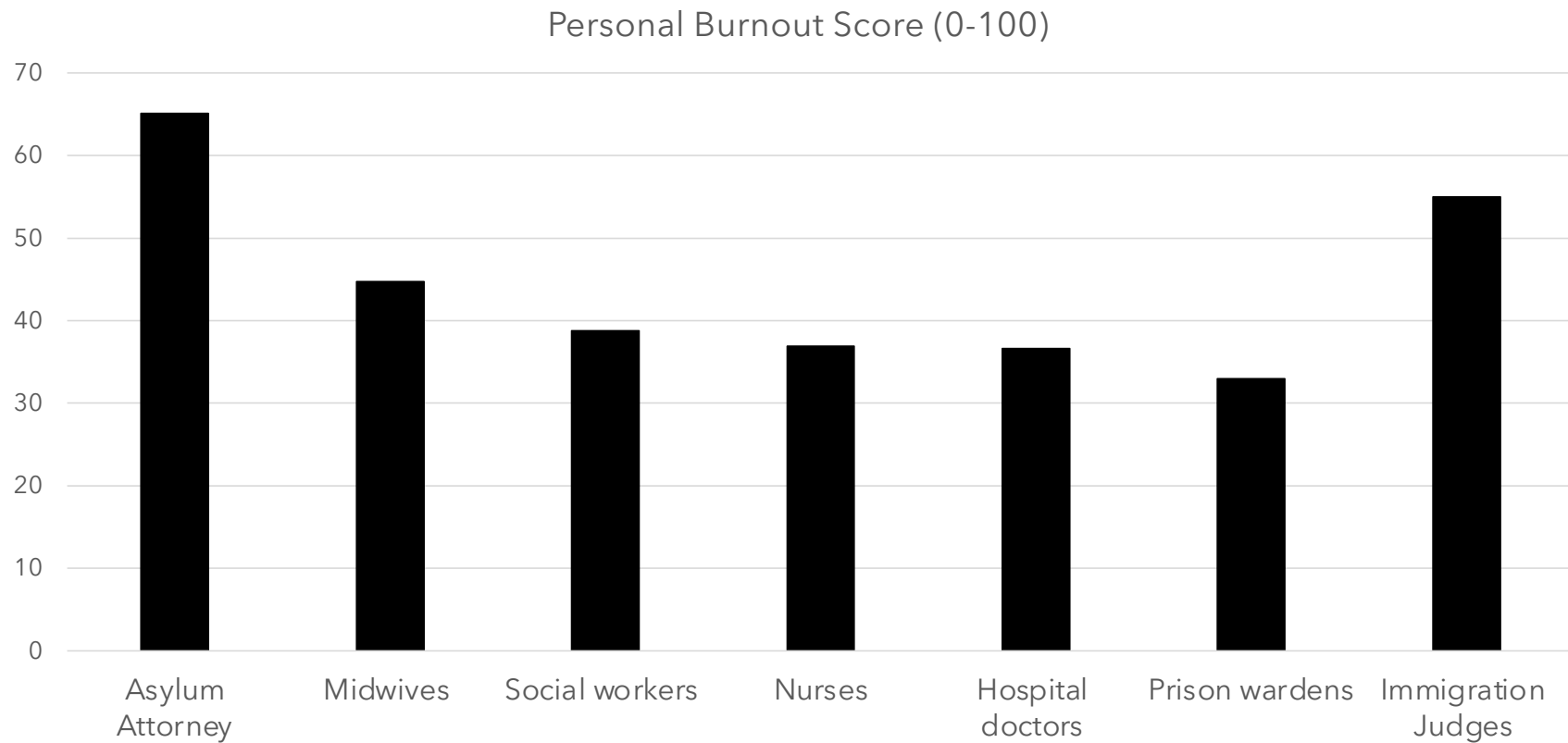


Asylum Attorney Burnout vs. Other Professionals

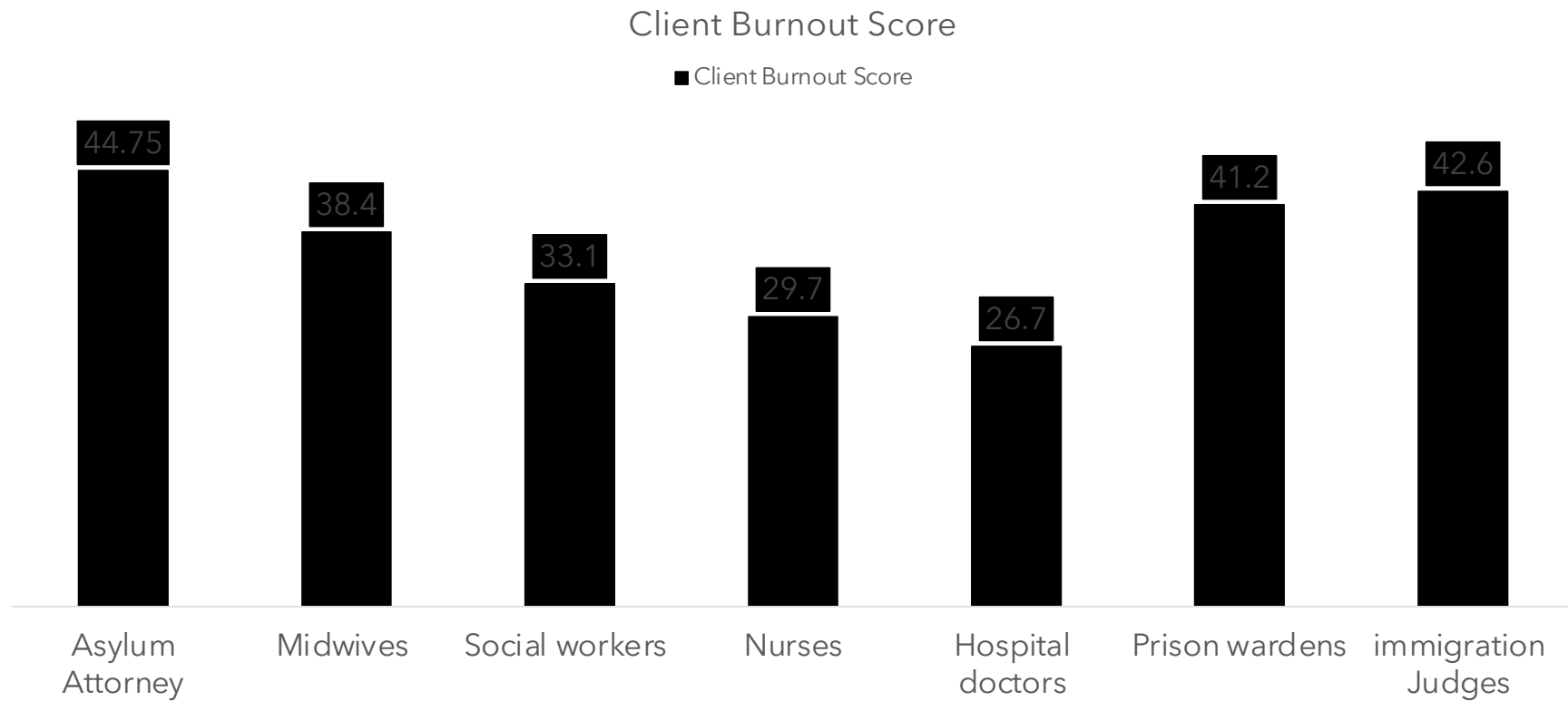
Work Burnout Score (0-100)



Asylum Attorney Burnout vs. Other Professionals



Asylum Attorney Burnout vs. Other Professionals



Secondary Traumatic Stress

- Asylum attorneys scored on the higher end of the scale (1-5):


	Asylum Attorneys	Immigration Judges
▪ Overall:	2.95	1.84 male; 2.5 female
▪ Arousal:	3.16	2.4
▪ Avoidance:	2.87	2.3
▪ Intrusion:	2.85	2.0

Attorney Characteristics: Gender, Race/Ethnicity & Age

- Average scores for female-identifying attorneys higher for both burnout and STS
- Every non-White group of attorneys measured higher on the burnout and STS scales than the White attorneys
- Higher age – reflected in lower stress levels

Attorney Characteristics: work environment & hours

- Solo practitioners responding to the survey reported higher levels of Secondary Traumatic Stress than any other attorneys – those in small, medium firms, non-profits, or academia.
- Having no support staff made a difference
- Weekly hours worked predictive of higher STS score (but not statistically significant for higher burnout)

The background is split vertically. The left half features a green-to-yellow gradient with wavy, concentric lines. The right half features a blue-to-teal gradient with similar wavy lines, set against a darker blue background.

What do we
do with this
information?