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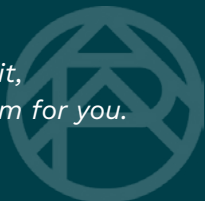
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Vicarious Trauma in the Legal Profession

By Kyra Hazilla

As a profession, we are snail-paced in our adoption of new ideas, technology, and change. According to Dr. Larry Richard, former lawyer-turned-researcher and consultant on lawyer psychology, lawyers score “very low on openness to change”—lower, in fact, than other change-resistant professions like accountants, engineers, and actuaries. In some areas, however, we are beginning to demonstrate some cognitive flexibility.

The past 20 years have seen a revolution in our understanding of the concept of vicarious trauma in legal practitioners, as well as an about-face in our willingness to talk about our experiences of the cost of caring.

The OAAP is a confidential service of the Professional Liability Fund
for all members of the Oregon legal community.

As a fresh-faced, starry-eyed public defender in 2006, my efforts to discuss secondary trauma received a chilly reception. Colleagues and supervisors chuckled nervously, made jokes, and rolled their eyes. While discussions of this topic were commonplace in social work training programs and counseling circles, legal professionals were dismissive. Now, almost two decades later, students are coming out of law school well-versed in the symptoms of secondary trauma and its inevitability. *The biggest shift is widespread acknowledgement that experiences of secondary traumatic stress are ubiquitous for helpers in the legal profession, rather than the result of individual vulnerabilities among practitioners.*

We understand that legal practice is full of suffering. Few people visit lawyers on a good day. In some areas of law—like criminal, immigration, juvenile, civil rights, domestic relations, and many others—heartache, terror, and horrific facts are everywhere. It is now understood that we cannot wade into the cruelty and anguish of the world and emerge unscathed. Even when the facts precipitating the legal case are fairly benign, the historical information is often replete with terrifying stories. If the file is not already full of nightmarish narratives, gathering information from clients or witnesses often results in yet more traumatic material. And for many people (professionals like lawyers and judges included), participating in legal proceedings can be a trauma of its own.

What Is Trauma?

The Diagnostic and Statistical Manual of Mental Disorders (DSM) defines “trauma” as exposure to actual or threatened severe injury, sexual violence, or death to oneself or to significant others.¹ The exposure can be firsthand or learned from a loved one. Most importantly, exposure includes observing “repeated or extreme details” of the traumatizing event through one’s work.² The recognition that we experience trauma from “secondary” exposure is a recent addition to the DSM and thus allows a diagnosis of Post Traumatic Stress Disorder (PTSD) without having directly witnessed the event itself. The practice of diagnosis has caught up with what helpers in many professions have long known—



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OAAP Open House

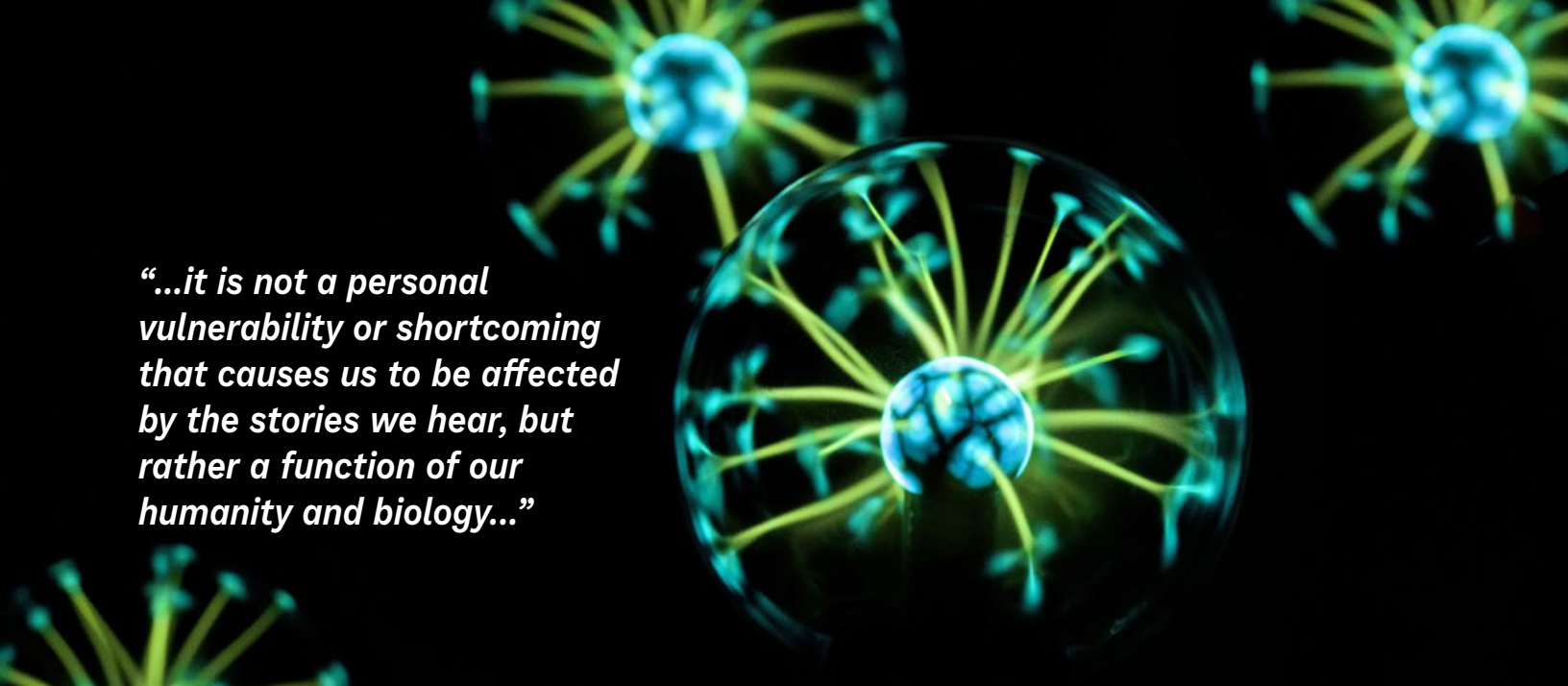
You're invited! Join us as we welcome colleagues from across the Oregon legal community. Connect with fellow legal professionals, meet the OAAP team, and enjoy light refreshments in our updated office space.

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roles involving repeated exposure to distressing material can create trauma-exposure symptoms in the helper. If those symptoms are severe enough, a helping professional may qualify for a diagnosis of PTSD.

How Does Vicarious Trauma Affect Legal Professionals?

Lawyers are exposed to a great deal of traumatic material. Contact with this subject matter can be through viewing graphic images or recordings, listening to individuals describe their traumatic experiences, or reading reports or other documentation of traumatic events. It can also be through witnessing firsthand someone’s interaction with the legal system or law enforcement, or seeing the effects of a recent trauma, including physical injuries or psychological symptoms. While lawyers are rarely directly exposed to the events that clients face, repeated or extreme exposure to the aversive details of the incidents necessitating by legal representation will affect the professionals involved. Even if hearing about the trauma does not result in symptoms severe enough to qualify for a diagnosis of PTSD, professionals can and do experience trauma-exposure responses.



“...it is not a personal vulnerability or shortcoming that causes us to be affected by the stories we hear, but rather a function of our humanity and biology...”

The phenomenon of being affected by indirectly experiencing traumatic events in a professional setting has a number of names. This author prefers “vicarious trauma,” but compassion fatigue, secondary traumatic stress, and countertransference are all accepted terms. This experience is often described as “the cost of doing business,” and it is so prevalent among helping professionals that researchers call it “inevitable.”

This is a huge price for lawyers and judges to pay for doing important work. Even lawyers who do not experience significant interference in their functioning—such that would qualify for a PTSD diagnosis—are affected by constant exposure to traumatized people and traumatizing material.

Our capacity for empathy creates this distress when we hear about or see other people’s trauma. Our brains are hardwired to try to understand another’s emotional experiences by feeling the sensation of their emotion inside our own bodies. The biological mechanism responsible for this phenomenon—mirror neurons—was discovered in the context of physical actions. For example, when we see someone lift a glass and take a sip of water, a small percentage of our glass-lifting-water-sipping neurons light up. The same process happens when we observe someone in physical or emotional pain. Researchers believe around 10 to 20% of our sensory neurons are mirror neurons. We are wired for empathy, which means we actually experience the sensation of someone

else’s pain. Our mirror neuron system is also triggered by hearing about or reading descriptions of other people’s life events.

What Does Vicarious Trauma Look Like?

While the idea that legal professionals are affected by the stories they hear is relatively new, some research supports this theory. In a 2003 study of criminal and family court attorneys, lawyers were more affected by secondary traumatic stress than mental health professionals.³ In a 2011 study of public defenders, 34% met the criteria for secondary traumatic stress and 75% met the criteria for functional impairment (the point at which exposure to this material negatively impacts functioning in work, recreation, and home life).

How can a practitioner determine whether they are affected by vicarious trauma? Both juvenile law-specific professional challenges and personal factors influence our trauma exposure and its effect on us. (The risks are higher for lawyers and judges in juvenile court than for other practice areas because human beings are more impacted by exposure to children’s trauma.) Other challenges specific to this practice area are: high caseloads; resource scarcity; and repeated interactions with other vicariously traumatized professionals. In the 2011 study of public defenders, the researchers found three other

contributing factors (which are also issues facing juvenile law attorneys): lack of respect from the public and other lawyers for their work; lack of control in work-life balance; and insufficient time to process issues and give or get support.

Any attorney with a history of personal trauma is more likely to be negatively affected by vicarious trauma if the historical trauma has not been adequately integrated into the lawyer's sense of self. Exposure to other people's trauma can activate one's previous experiences. In addition, personality characteristics such as perfectionism and a high level of empathy without self-compassion put legal professionals at even greater risk. If a professional's reserves are low because of personal stressors such as divorce, a sick child or parent, financial stress, or chronic illness, they will be more susceptible when exposed to traumatic material.

The symptoms of vicarious traumatization mirror the symptoms of direct trauma exposure. People cope differently, but symptoms can include cynicism or change in worldview; irritability; difficulty concentrating; mood swings; feeling isolated or estranged from others; avoidance of thoughts, clients, work, or personal activities; memory changes; hypervigilance and overactive startle response; anxiety; intrusive thoughts or images; nightmares; anger; physical symptoms like stomachaches and headaches; sleep disturbances; and burnout. Practitioners may identify with one or more of these symptoms. For a more in-depth exploration, see the Professional Quality of Life Scale: http://www.proqol.org/uploads/ProQOL_5_English_Self-Score_3-2012.pdf.

How Can We Mitigate Vicarious Trauma?

Looking at other professions with similar (or even more intense) trauma exposure and comparing rates of vicarious trauma as well as protective interventions can be helpful. Fascinatingly, mental health professionals report vicarious trauma and post-traumatic stress symptoms at much lower rates than attorneys and judges. This holds true even when the content that lawyers and mental health professionals are exposed to is almost identical. Researchers hypothesize this is partly

OAAP / OWLS 2025 Well-Being Retreat for Lawyers Identifying as Women or Nonbinary

We are pleased to announce that this year's Well-Being Retreat for Lawyers Identifying as Women or Nonbinary will be held midday Friday, October 17, through lunch on Saturday October 18, 2025, at the Adobe Resort in Yachats, Oregon.

Our theme is **"Resilience & Rest: Fostering Relationships for Well-Being."** The retreat features opportunities to develop meaningful relationships with other professionals, delicious food, crafts, yoga, creative activities, and space for relaxation. Please join us to hear from our team of dynamic and informative speakers!

Application for MCLE credits pending. To register or for more information, visit oap.org/events/.

because the legal profession doesn't provide lawyers with adequate trauma training or formal structures for "debriefing and supervision" (a term of art mental health providers use to describe professional consultation regarding the emotional content of their work, along with discussions about other issues such as ethics questions, case management, resources, and so on).⁴

Awareness

Building awareness so we can understand the risks and mechanisms for secondary trauma exposure offers some protection against the effects. When we recognize it is not a personal vulnerability or shortcoming that causes us to be affected by the stories we hear, but rather a function of our humanity and biology, we can attend to our experience with equanimity. In other professions like medicine, counseling, and education, practitioners receive ample training in areas such as risk factors, recognizing signs and symptoms, and strategies to address the trauma that will inevitably flow from the work. The legal



“If you are going to stop figuratively holding your breath through the workday, then you must learn to breathe while you are at work.”

profession is beginning these conversations, but additional work is needed, especially for more experienced practitioners who did not benefit from the education and training on this subject that law students receive now.

Balance

Articles and podcasts recommend we seek “balance” when addressing vicarious trauma—but what does that mean? One aspect of balance is creating meaningful variety in the types of matters in a practitioner’s caseload. For example, a full caseload replete with children’s trauma (for juvenile law attorneys) or cases involving Measure 11 sex offenses (major felony attorneys) or all asylum cases is more likely to cause vicarious trauma than a mixed caseload. Another facet of balance is equilibrium in the way lawyers engage in their work. For legal professionals, specifically, control and autonomy over their work—meaning choosing how, when, and where to do their work—is strongly predictive of protection from the deleterious effects of secondary trauma.⁵

What about fostering work-life balance? Leading researchers warn against white-knuckling through the days or weeks until we can get some respite from the trauma onslaught. The most important skill is learning to achieve some nervous system regulation during the course of every day. “If you are going to stop figuratively holding your breath through the workday, then you must learn to breathe while you are at work.”⁶ When we begin

to recognize our stress response during the workday (not just when it accumulates over time) and develop the ability to acknowledge both the distress of the work and the good moments, our nervous system is protected.

Developing the skill of noticing that parts of any job in a trauma-rich environment are high stress, parts are low stress, parts are boring or neutral, and some parts are pleasant creates an opportunity for present-moment awareness that counteracts the stress response. As an added benefit, attention placed on your own body language and body regulation is helpful for you and your clients. Using open body language, gentle eye contact, and staying out of a client’s physical space without permission calms everyone’s body. When your body is calm and your breathing is deep and slow, that influences the people around you. Mirror neurons can vicariously calm us while we communicate nonverbal cues of safety, reducing stress and reactivity for clients and other court participants.

Connection

The idea that we ought to notice how we are faring in our workplaces in the moment, and make space for the distressing events rather than trying to avoid them (or bear them only as long as we have to), and then leave our work at work, is novel for many of us. We need allies in our professional lives who allow us to hold space in this way. Learning to speak with each other about

the emotional content of our work is one of the most protective actions lawyers can take. One strategy is to engage in debriefing with supportive colleagues. This involves talking with coworkers or other practitioners one-on-one or in a group about the emotional responses we have to our cases and our work. This debriefing is different from the typical case consultation, strategic planning, or venting about the frustrations of practice. Developing and maintaining relationships with people who understand your work and buoy your spirits uses the social engagement system of your brain to soothe the trauma response. Feeling connected to the meaning of your work or something larger in the community can help combat many of the symptoms of vicarious trauma. Connection can also mean reaching out to professional supports like a mentor, a therapist, or an attorney counselor at the Oregon Attorney Assistance Program.

Attending to and discussing the hard parts of trauma-heavy work is only half of the equation. Nurturing our “compassion satisfaction”—the positive emotional experiences we have in response to the professional help we provide to others—is an important part of protecting ourselves. When we do this in the moment, throughout our day, we care for our nervous system and its need for down regulation and

recognition that “stressful work” does not mean ceaseless stress. When we engage in regular conversations with peers and supervisors about what feeds us in our work, we again lower our risk.⁷ Professions with a structure for this conversation, such as clinical supervision for counselors, see fewer trauma exposure responses.

The OAAP has developed a support group model called Engagement Groups to help practitioners in high-trauma environments access support for the challenges in this type of legal work. These groups borrow from other professions: the Balint group processes for physicians (offering a place for medical professionals to speak about the emotional content of their work) and group supervision or consultation for therapeutic clinicians. Having a safe space to discuss the challenges and heartache of this difficult work protects practitioners. Sharing mistakes, despair, overwhelm, and other reactions to the work of helping professions, as well as common trauma symptoms, reduces isolation and shame. Participants also assess their own compassion satisfaction and highlight the positive moments that sustain them.

If you are practicing in a high-trauma area of law, you are being exposed to trauma and are thus at risk for vicarious trauma. If you notice that

Moving Forward: A Support Group for After the Relationship Ends

The OAAP will offer a workshop / support group for Oregon lawyers currently experiencing the challenges of romantic relationship endings. Participants will learn about and share experiences with loss, transitions, healing, and new beginnings. This 8-session group will meet weekly, with participants able to meet either in person or remotely from 12:00 p.m. to 1:15 p.m. on Tuesdays beginning October 21. There is no fee, but space is limited, and advance registration is required.

If you would like to participate in this group or would like more information, contact Attorney Counselor Bryan Welch, JD, M. Coun., CADC I, at 503.226.8985 or bryanw@oaap.org to schedule an appointment.

exposure to suffering people and hard stories are getting to you, great job at having this awareness! There are many things you can do to take care of yourself, and you are welcome to reach out to the OAAP for free and confidential support. If you feel that an Engagement Group could be helpful to you or your workplace, please get in touch with the OAAP to join a group or to partner with you in bringing this to your community. ●

– **KYRA HAZILLA**
JD, LCSW, Director and
Attorney Counselor, OAAP



OTHER WORKS BY KYRA HAZILLA AT OAAP.ORG

inSight

- What Is Mindful Listening and How to Build Your Listening Muscles (Spring 2025)
- How to Be an Ally for Nondrinkers (Fall/Winter 2024)
- Voices of Well-Being in the Legal Community, coauthored with Tanya Hanson (Summer 2024)

Sidebar: Trauma Exposure Responses

1. Helplessness and hopelessness
2. A sense that one can never do enough
3. Hypervigilance
4. Diminished creativity
5. Inability to embrace complexity
6. Minimizing
7. Chronic exhaustion and physical ailments
8. Inability to listen and deliberate avoidance
9. Dissociative moments
10. A sense of persecution
11. Guilt
12. Fear
13. Anger and cynicism
14. An inability to empathize or numbing
15. Addictions
16. Grandiosity

Source: Laura van Dernoot Lipsky, *Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others* (2009)

Women's Trauma Support Group

Beginning October 29, the OAAP will facilitate a 6-week confidential support group for lawyers who identify as women and who have experienced trauma-including volatile relationships or childhood trauma-and/or have struggled with a loved one's compulsive behaviors. Topics will include the process of trauma; power and abuse; grounding and self-regulation; and healthy relationships. The in-person group will be held from 12:00 p.m. to 1:15 p.m. at the OAAP in Portland. The facilitators will be Attorney Counselors Kyra Hazilla, JD, LCSW and Kirsten Blume, JD, M. Coun.

To attend, please look for a broadcast email to sign up to meet with the facilitators. For more information or questions, please contact Kirsten Blume at 503.226.1057 ext. 11, kirstenb@oaap.org.

ENDNOTES

1. DSM 5
2. DSM 5
3. As a dually trained lawyer and mental health professional, this makes perfect sense to this author because mental health practitioners have been talking about vicarious trauma—by any of its many names—for years. Legal professionals, on the other hand, are expected to be emotionless, logical pinnacles of reason. Having feelings in response to our cases was historically seen not as a sign of our common humanity but rather as a sign of susceptibility or weakness.
4. Maguire, G. & Byrne, M., “The Law Is Not as Blind as It Seems: Relative Rates of Vicarious Trauma among Lawyers and Mental Health Professionals,” *Psychiatry, Psychology and Law*, 24, no. 2 (2017): 233–243, https://pmc.ncbi.nlm.nih.gov/articles/PMC6818275/pdf/TPPL_24_1220037.pdf
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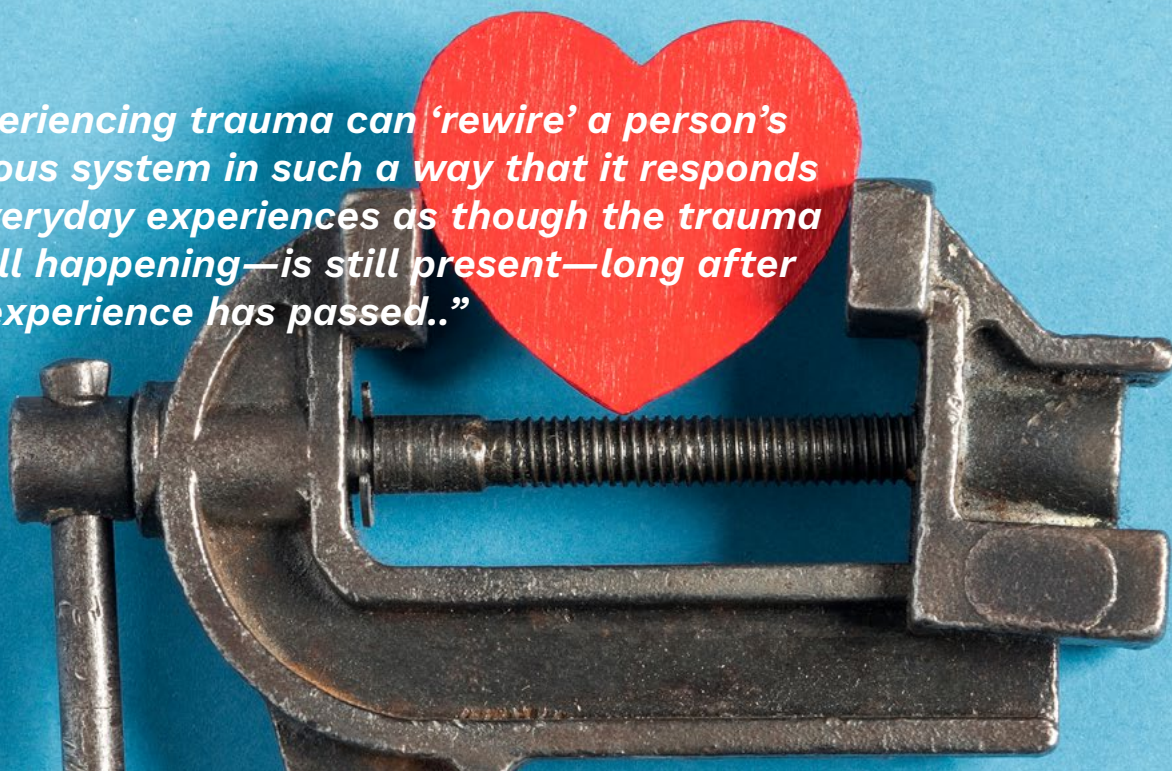
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Grief and Loss Support Group for Lawyers

The OAAP is offering a six-week support group for lawyers who have experienced the death of someone significant in their lives. The confidential group will offer participants a chance to understand and express the difficult feelings that are a part of grief and loss. Though we are meant to grieve in community, finding that space in the practice of law can be a challenge. Join colleagues and Attorney Counselors Kyra Hazilla and Bryan Welch beginning in January 2026 for a weekly group.

Watch for more information in the next *inSight* or broadcast email. For questions, please contact Bryan Welch at 503.226.8985, bryanw@oaap.org.

“Experiencing trauma can ‘rewire’ a person’s nervous system in such a way that it responds to everyday experiences as though the trauma is still happening—is still present—long after the experience has passed..”



Recognizing Signs of Traumatic Stress in Clients

By Bryan R. Welch

Being able to recognize and adapt to the needs of a client who is impacted by their traumatic experience is critical to helping them participate effectively in their representation. The trauma may be the direct reason for your client coming to see you, or it may be the result of an unrelated past or present experience.

Experiencing trauma can “rewire” a person’s nervous system in such a way that it responds to everyday experiences as though the trauma is still happening—is still present—long after the experience has passed. As a result of this rewiring, the client has organized their cognitive, behavioral, and emotional responses around threat detection, protection, and safety in the present moment. Think of their “fight, flight, freeze, fawn, and faint” system as being locked in the on position. Here some things you might notice when working with a person who has suffered a trauma. They may:

- be easily angered, frustrated, or irritated;
- have a flat affect, little emotion in their face or voice, or a fixed look or stare;
- be easily startled by loud noises, fast movements, people behind them, etc.;
- react defensively to what seems to you a neutral interaction;
- have difficulty focusing or concentrating;
- experience challenges with following through on tasks or following instructions;

- show signs of dissociation, such as incoherent timelines in recalling facts, unaccounted-for time, or difficulty with memory—especially around emotionally charged content;
- find it difficult to rest or restore, or might experience flashbacks, nightmares, trouble eating, difficulty falling or staying asleep;
- report any of a variety of physical complaints, such as headaches, body pain, gastrointestinal issues, fatigue, chest pain, dizziness, or changes in heart rate and blood pressure;
- develop negative changes in perspective or worldview, self-doubt, shame or self-blame, cynicism, pessimism, or changes to spiritual beliefs.

Being able to provide **trauma-responsive services** to clients reduces the risk of re-traumatization and helps both you and your client manage their case in a healthier, more productive way. ●

— **BRYAN R. WELCH**
JD, M. Coun., CADC I
Attorney Counselor, OAAP



OTHER WORKS BY BRYAN WELCH AT OAAP.ORG

inSight

- The Case for (and Against) “Mocktails” (Fall/Winter 2024)
- Canaries in the Coal Mine: Working Together to Reduce Burnout in the Legal Profession (Spring 2024)
- The Heartfelt Importance of Social Connection During the Holiday Season (Winter 2023)

RESOURCES AND REFERENCES

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Coming Up!

10-Year Update on the Landmark Research on Attorney Well-Being

Survey responses are in for the upcoming study on lawyer well-being. Patrick Krill is again collaborating with the American Bar Association’s Commission on Lawyer Assistance Programs to provide new insights on the state of the legal profession. Thanks to all who participated in this important effort. Stay tuned for results anticipated in early 2026.



Even in
uncertain
times, we can
help you find
your **JOY**.

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Finding Meaningful Work

The OAAP holds a periodic 6-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating a personalized job search plan, developing a mission statement and elevator pitch, learning and practicing networking skills, and honing job search skills.

The next group will start in **Fall 2025**. Sessions meet virtually through videoconference. To participate or for more information, please contact OAAP Attorney Counselor Kirsten Blume, JD, M. Coun., 503.226.1057 ext. 11, kirstenb@oaap.org.

Developing Healthy Boundries

Beginning in **2026**, the OAAP will offer a free and confidential workshop designed to help you create healthy boundaries in your personal and professional lives. The in-person workshop will be held at the OAAP office in Portland. The workshop facilitators will be Senior Attorney Counselor Doug Querin, JD, LPC, CADC I and Attorney Counselor Kirsten Blume, JD, M. Coun.

Watch for more information in the next *inSight* or broadcast email. For questions, please contact Kirsten Blume at 503.226.1057 ext. 11, kirstenb@oaap.org.

Mindfulness Group

Beginning **Winter 2026**, the OAAP will be forming a group for lawyers who want to learn how to implement mindfulness-based practices in their lives. The group will be held remotely and facilitated by Attorney Counselors Kyra Hazilla, JD, LCSW and Kirsten Blume, JD, M. Coun.

If you are interested in this group or for more information, please contact Kirsten Blume at 503.226.1057 ext. 11, kirstenb@oaap.org.



OAAP STAFF

Kyra M. Hazilla, JD, LCSW
Director of the OAAP
503.226.1057 ext. 13
kyrah@oaap.org

Douglas S. Querin, JD, LPC, CADC I
Senior Attorney Counselor
503.226.1057 ext. 12
douglasq@oaap.org

Bryan R. Welch, JD, M. Coun., CADC I
Attorney Counselor
503.226.1057 ext. 19
bryanw@oaap.org

Kirsten M. Blume, JD, M. Coun.
Attorney Counselor
503.226.1057 ext. 11
kirstenb@oaap.org

Bridget Donegan, JD
MA Candidate-PMHC
Attorney Counselor Associate
503.226.1057 ext. 14
bridgetd@oaap.org

Jeanne Ulrich
Program Assistant / Office Manager
503.226.1057
jeanneu@oaap.org

Career Resources from the OAAP

FINDING MEANINGFUL WORK

The OAAP holds a periodic 6-session networking and support group for lawyers making job or career transitions called “Finding Meaningful Work.” The sessions assist lawyers in creating a personalized job search plan, developing a mission statement and elevator speech, learning and practicing networking skills, and honing job search skills. Presently, sessions meet virtually through videoconference. To participate or for more information about the next group, please contact OAAP Attorney Counselor Kirsten Blume, JD, M. Coun., 503.226.1057 ext 11, kirstenb@oaap.org.

CAREER SELF-ASSESSMENT

The OAAP attorney counselors can help you assess your career path and career opportunities. If you would like information about self-assessment, contact Senior Attorney Counselor Doug Querin, JD, LPC, CADC I, 503.226.1057 ext. 12, douglasq@oaap.org; Director Kyra Hazilla, JD, LCSW, ext. 13, kyrah@oaap.org; Attorney Counselor Bryan Welch, JD, M. Coun., CADC I, ext. 19, bryanw@oaap.org; Attorney Counselor Kirsten Blume, JD, M. Coun., ext 11, kirstenb@oaap.org; or Attorney Counselor Associate Bridget Donegan, JD, MA Candidate-PMHC, ext. 14, bridgetd@oaap.org.