Nervous System Regulation: Preventing Burnout
Wednesday, October 14, 2026
Potter Anderson & Carroon LLP
Agenda

11:30 a.m. – 12:00 p.m. – Registration and Check In

12:00 p.m. – 1:00 p.m. - Presentation

Presenter via Zoom:
Clara Ali Ghalib BSc. MPHARM. MSc.

Clara holds a Master's in Clinical Pharmacy from the Royal College of Surgeons Ireland and a Master's in International Health Management from Imperial College Business School, London.

Overview

Stress is a natural part of working in fast-paced, high-responsibility environments. When attorneys care deeply about their work and take ownership of what they do, pressure is often part of the picture. This session creates space to better understand how the body responds to that pressure and why it can feel harder to switch off, recharge, or recover during sustained busy periods.

This session explores how the nervous system works in the background, shaping energy, focus, mood, sleep, and emotional regulation, often without us realizing. Many common experiences, such as feeling constantly alert, mentally fatigued, or slower to recover after busy periods, are not signs of weakness, but normal biological responses to prolonged demand.

This session offers a clear, practical understanding of stress from a physiological perspective, without judgement or diagnosis. The aim is to help attorneys recognize what their bodies are communicating and to introduce supportive, evidence-based approaches that fit realistically alongside work roles.

In this session, attorneys will learn:

- How the nervous system responds to pressure and sustained demand
- Understand what a healthy, regulated nervous system looks like
- What regulation means in practice and why it matters for energy and focus
- The difference between short-term stress and prolonged stress and burnout
- Science-backed ways to support recovery and balance over time

This seminar offers 1.0 ethics credit to Delaware and Pennsylvania Attorneys; 1.2 ethics credits to New Jersey Attorneys.

Recognizing and Recovering from Burnout in Legal Practice

Making space for reality at work



Health conversations that matter



Clara Ali Ghalib

BSc. MPHARM. MSc.

Clinical Director

Trusted Information Creator

Patient Information Forum

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- **Pharmacist, Nurse, Naturopathic Doctor**
- **Board Certified Consultant Neurologist**
- **Specialist Board Certified Medical Consultant**
- **Real life attorney experience**

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Framing the purpose of this session



Uncompromised Client Service



Sustained High Performance



Professional Responsibility

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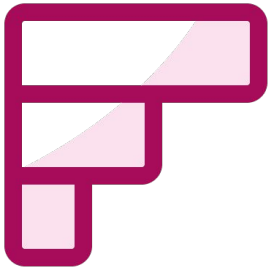


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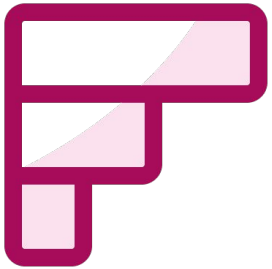


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Do you know what health support your employer provides?

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Have you used any of it in the last 12 months?

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Why this room, and why Delaware



Two-thirds

of Fortune 500 incorporated here



70%

of US IPOs last year (2M+ entities)



Over 3000

resident active attorneys

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What are we going to talk about?

1. 🧠 Your nervous system
2. 🔥 The full picture of stress and burnout
3. 🌱 Building resilience

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PART 1

Your Nervous System



Your body’s showing you red flags.

- **Racing heart**
- **Brain fog**
- **Snapping at people for no reason**
- **Feeling “off” but not knowing why**
- **Wanting to do everything… and nothing**

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Stress is always bad for your health

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Not all stress is bad



😉

Eustress (Positive Stress)

Short-term stress that provides energy, sharpens focus, and drives performance - your body's "performance mode."

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The Nervous System is

your body's communication hub



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Brain

Spinal Cord

Nerves

Receptors



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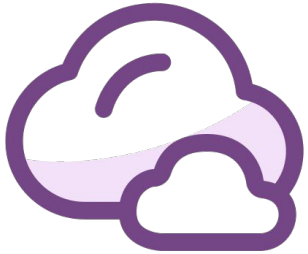


Neuroception

How your nervous system picks up on whether you feel safe, in danger, or threatened, without you even realizing it.

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How does stress show up for you?

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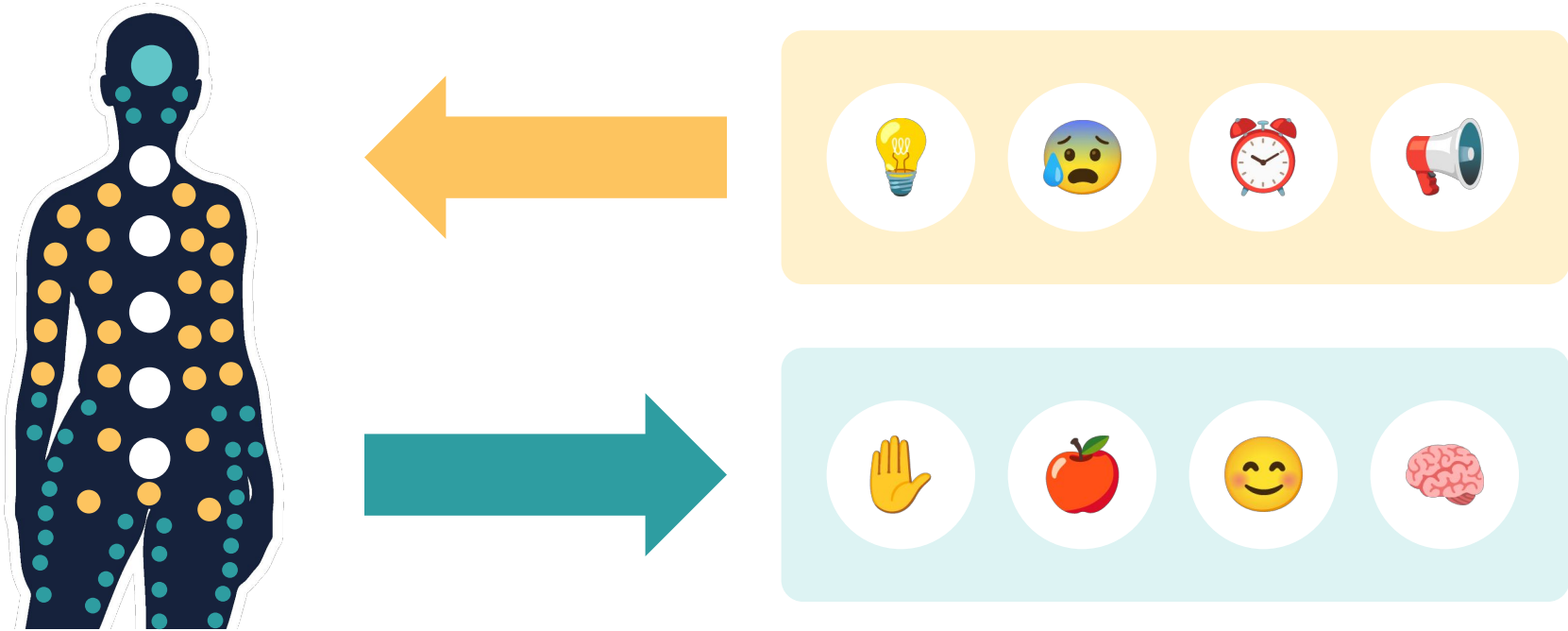
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A regulated nervous system includes:

- Awake and focused in the day
- Sleepy at night
- Digest food properly
- Rest without guilt
- Bounce back after stress
- Enough energy to do tasks

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Your nervous system is bidirectional



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Your Nervous System's Five Protective Modes



Freeze

Withdrawing
Numbness
Emptiness



Fit In

Blend
Disappear
Isolated



Fawn

Trapped
Guilt
Resentment



Flight

Panic
Fear
Anxiety
Worry & Concern



Fight

Rage
Anger
Irritation
Frustration

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What state do you recognize as your default stress response?

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The experience of overload

“Something’s coming at me, and I can’t keep up.”





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Your system prepares to protect you from the *perceived threat*



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Micro-resets to implement

- **Slow exhale**
- **Timer for focused bursts**
- **Grounding techniques**



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How to support your nervous system



Breathe



Reduce Stimulation



Movement



Healthy Eating



Rest



Build Boundaries

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PART 2

The full picture of stress and burnout



What we think burnout is...

Stress and overworking.

Long hours.

Heavy workload.

Too much on your plate.

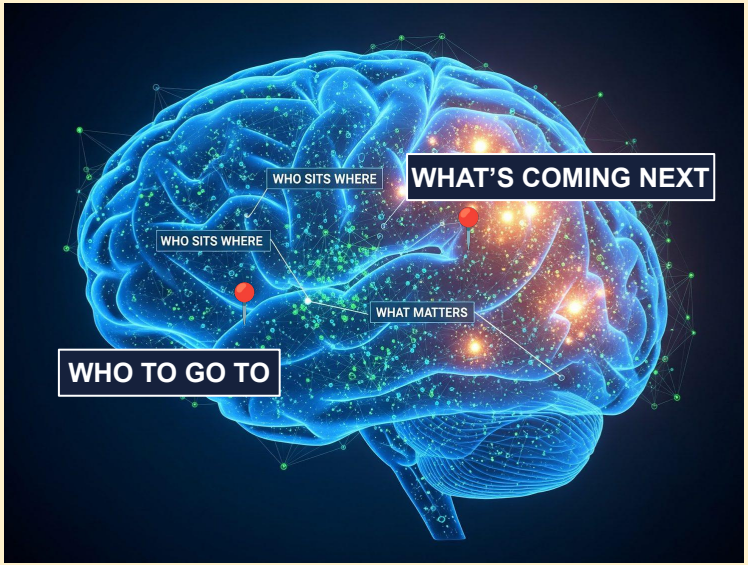


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Change

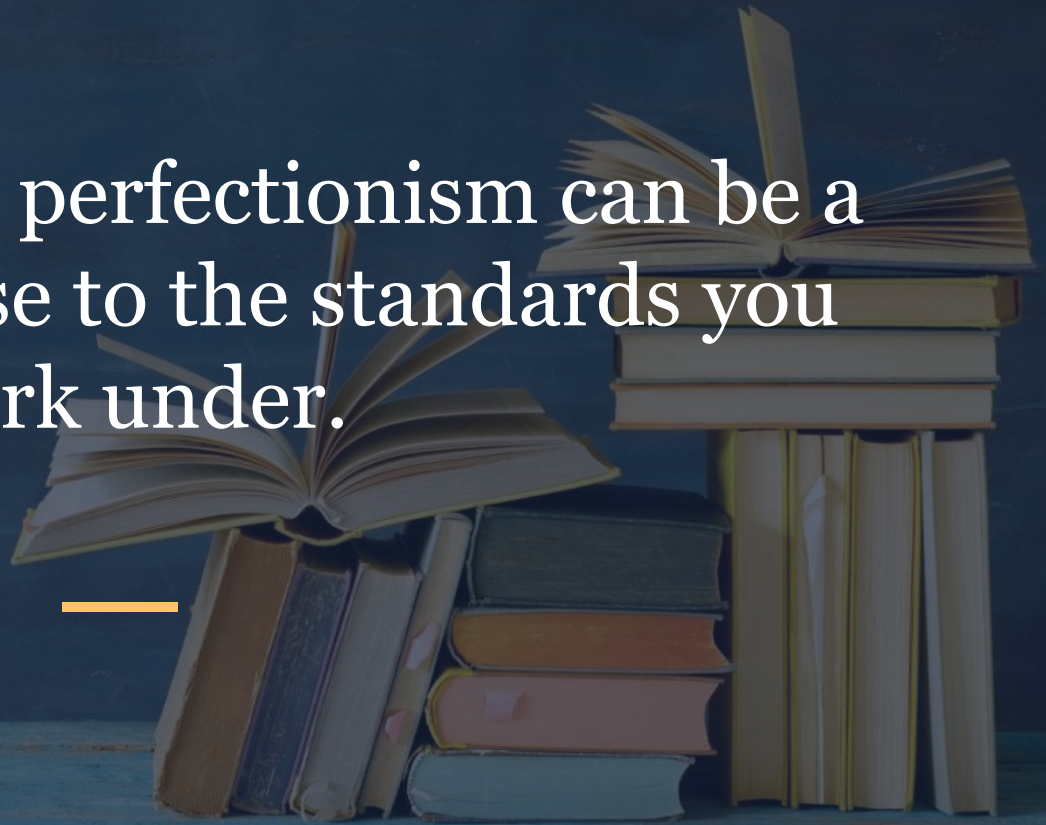
The invisible energy drain of change

Constant background **"map updating"** during change exhausts cognitive resources. This leads to a **prolonged stress response**.



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In legal practice, perfectionism can be a rational response to the standards you work under.





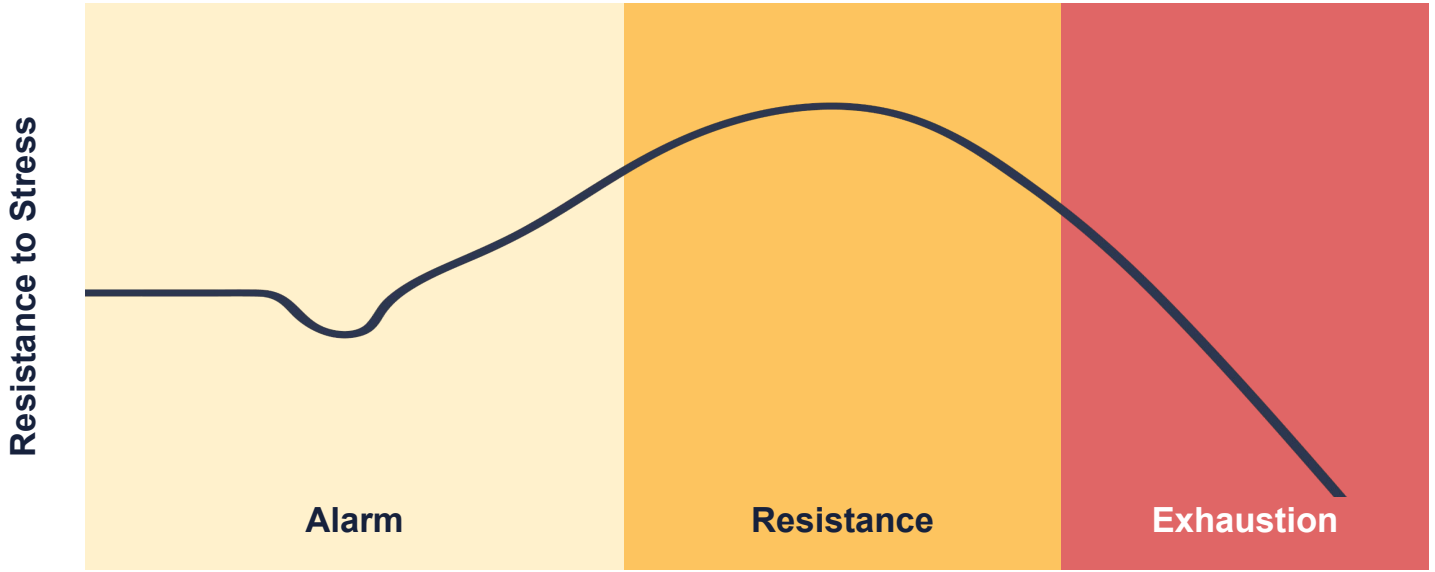





You cannot bill a client
for spinning your wheels.




General Adaptation Syndrome



Ref: Hans Selye, 1936

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Burnout only happens to people who are not resilient.

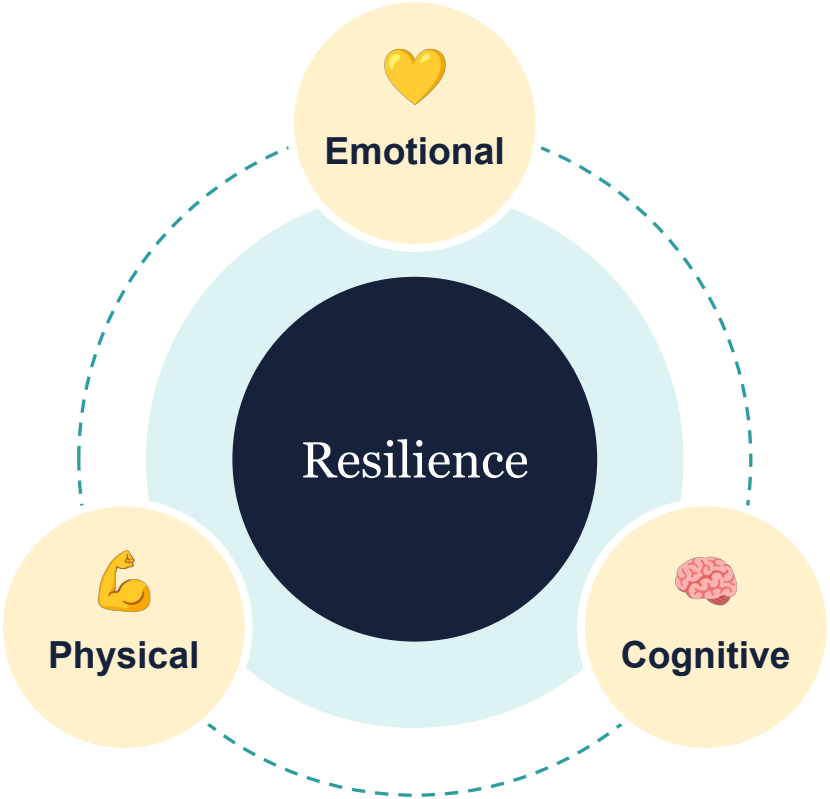
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Resilience

is not endurance.

Resilience is built on three interconnected systems



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Resilience: Three interconnected systems



Physical



Emotional



Cognitive

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Burnout Symptoms

Fatigue

Trouble focusing

Headaches
Gut Issues
Body Pain

Snapping at people

Feeling Numb

Loss of Motivation

Morning Dread or Anxiety



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Before assuming, check:

- 🩸 **Anemia (low iron or B12)**
- 🦋 **Thyroid Issues**
- ⚖️ **Hormonal Imbalances**
- 🧠 **Depression or ADHD**
- 🦠 **Chronic infections**
- 😴 **Sleep apnea**
- 💊 **Substance abuse**



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Burnout recovery

Requires psychological and behavioral changes



HABIT TO REVIEW 01

Lack of Boundaries



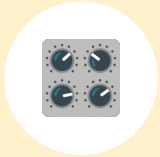
HABIT TO REVIEW 02

People Pleasing



HABIT TO REVIEW 03

Perfectionism



HABIT TO REVIEW 04

Control

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Grief

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Grief at work

What does grief at work look like?



Colleagues changing



Manager leaving



Team restructured



Systems changed or replaced

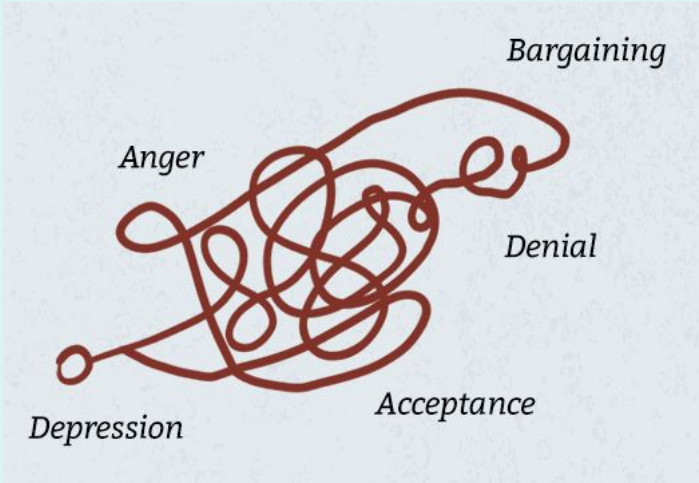
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Stages of Grief

The experience you expected



The experience you got



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Indirect Trauma Exposure

01

Burnout

An occupational phenomenon resulting from chronic workplace stress.

02

Secondary Stress

Symptoms resembling PTSD, arising from non-direct exposure to traumatic events.

03

Vicarious Trauma

A profound shift in worldviews & beliefs from working with traumatized clients.

9% – 15% of attorneys meet screening criteria for PTSD

15% – 34% report high or severe secondary traumatic stress

Source: [add source]

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PART 3

Boundaries and Resilience

you can build today





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What helps us navigate uncertainty?



Oscillation



Acknowledgment



Physical Basics



Connection

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Setting boundaries makes you less committed at work.

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Boundaries across four professional relationships



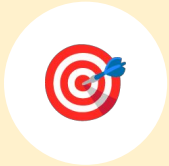
Clients



Opposing counsel



Team



Perfectionism

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Tips to improve boundaries with work



Schedule send emails



Block out focus time



Take breaks



Pace energy-draining tasks - agree to timing, scope or support



Ask what takes priority

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During periods of change, what helps most?



Name what is staying the same



Create predictable communication



Acknowledge before trying to fix



Use low pressure check-ins (e.g. walking)



Notice changes without assumptions and signpost for help if needed

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How we talk to each other

makes the biggest difference



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Where to go for support



Confidential Support: Delaware Lawyers Assistance Program (DE-LAP)

- **Initial assessment & referral**
- **Interventions**
- **Peer support**
- **Structured rehabilitation (monitoring)**
- **Education**
- **Animal assisted wellbeing visits**

Contact Information

Smartphone
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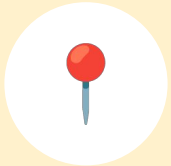
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Email
jdeel@de-lap.org

Website
www.de-lap.org

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Additional support resources

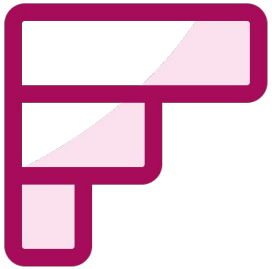


Signpost & Find Support

- **Employer’s Assistance Program, where available.**
- **Referral to clinicians experienced with the profession.**
- **Family doctor.**
- **Trusted colleague within the profession.**
- **HR and line managers**

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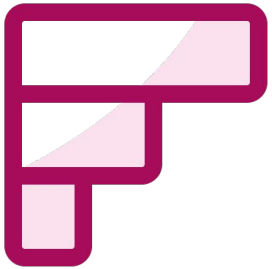


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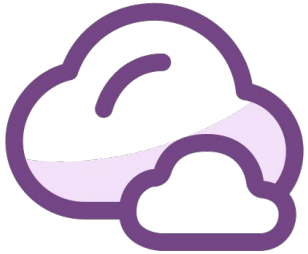


How confident do you feel discussing burnout with others?

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What is one thing you will do differently in the next 30 days as a result of today?

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Nervous System Regulation: Preventing Burnout

Recognizing and recovering from burnout in legal practice

Date	Wednesday, October 14, 2026, 12:00 to 1:00 pm
Content provider and faculty	Work Health Experts
Venue	Potter Anderson & Corroon LLP, 1313 North Market Street, 6th and 7th Floors, Wilmington, DE 19801
Format	Live instruction presented remotely, with attendees present together in person at the host firm's offices.
Duration	60 minutes
Credit sought	Enhanced Ethics: full session, full attendance required

Contents

1. Faculty and qualifications
2. The nervous system and the stress response
3. The full picture of stress
4. Indirect trauma exposure in legal practice
5. Boundaries, resilience and supervisory practice
6. Professional responsibility
7. Confidential support and resources
8. References

About this document

These are the written materials for attendees of this session. They are more detailed than the spoken content, so that the clinical and professional responsibility material remains available after the session has ended. Numbered Sections refer to sections of this document, and Rules refer to the Delaware Lawyers' Rules of Professional Conduct unless otherwise identified.

Questions about the content may be directed to hello@workhealthexperts.com and forwarded to Clara Ali Ghalib, Clinical Director, Work Health Experts

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Design principle

This session addresses the physiological conditions under which attorneys are able to do their best work for clients over a full career, and the professional obligations that attach to those conditions. Nothing in this session proposes that client service be subordinated to personal well-being.

1. Faculty and qualifications

Role	Qualification
Clinical lead and facilitator	Clinical Director of Work Health Experts. Clinical pharmacist. BSc, MPharm, MSc. Practice experience spanning trauma hospitals, primary care and pharmaceuticals. Responsible for content development and clinical governance. Experienced in delivering health education to more than 3,000 employees across US and global organizations, including professional services, technology and consulting firms.
Legal profession input	The professional context was developed through structured informational interviews with members of the Delaware legal profession, across a range of practice settings and career stages. Their input informed the profession-specific content, the framing of professional responsibility obligations and the resources at Section 7. Contributions were given on a non-attributed basis.
Editorial and clinical responsibility	Work Health Experts is responsible for the content of this document and of the session, and for the clinical material within it.
Clinical review	All content has been reviewed by board-certified clinicians. This session has additionally been reviewed by an American board-certified neurologist.

1.1 Scope and medical disclaimer

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2. The nervous system and the stress response

2.1 The operating environment

Stress at work does not occur in isolation. Attendees will arrive carrying matters unconnected to their practice: personal uncertainty, financial pressure, caregiving obligations, and a continuous stream of global events observed in real time.

There is a term for the conditions in which the profession currently operates: VUCA, meaning volatility, uncertainty, complexity, and ambiguity. Its relevance is physiological. The brain’s principal function is to keep the individual alive, and it does this by predicting what happens next. Prediction conserves energy. It is why

routine feels comfortable, and why a familiar journey can be completed with little conscious recollection of it, because the brain already knew what was coming and did not have to work hard.

Each time the environment becomes less predictable, the brain must work harder, expending energy it would otherwise reserve for thinking, focusing and connecting with other people. This is not a metaphor. Peters, McEwen and Friston (2017) describe stress as the brain's response to unresolved uncertainty, and note that reducing uncertainty and supplying the brain with the energy to do so entails the neuroendocrine and neuroenergetic responses that constitute the stress response.

2.2 The nervous system

The nervous system is the body's communication hub. It regulates sleep, hormones, digestion and mood. Everything that keeps a person functioning runs through it. It comprises the brain and spinal cord, and 43 pairs of nerves and millions of receptors throughout the body.

In addition to running those systems, the nervous system protects the individual through neuroception: a built-in threat detection process that runs constantly in the background without conscious input. It scans the environment at all times, assessing whether the individual is safe, under pressure, or in danger. It does not wait for the rational mind to weigh in. It reacts first.

In legal practice this presents in recognizable form: a shift in the energy of a meeting whose tone differs from the usual; the tensing of the shoulders on seeing a late email from a client; remaining on edge for an afternoon after a difficult exchange with opposing counsel that in fact resolved without incident. The nervous system registered a cue, assessed it as a threat, and responded before conscious appraisal occurred. This is why stress can feel automatic. The body is already reacting before the mind has caught up.

The red flags

The nervous system signals overload before the individual recognizes it. The common indicators are:

- Racing heart
- Brain fog
- Snapping at people over small things. That irritability is worth understanding, because it is not a personality issue, it is the effect of chronically elevated cortisol on emotional regulation
- Feeling off without being able to explain why
- Wanting to do everything and also nothing at the same time, which is one of the most recognized signs of nervous system overload

For a profession in which composure is itself a professional asset, these signals are frequently suppressed rather than acted upon.

2.3 Not all stress is harmful

Stress itself is not the enemy. Short bursts of stress are what allow people to perform at their best: they sharpen focus, increase alertness, and drive the individual to meet a challenge. This is eustress: short-term stress that provides energy, sharpens focus and drives performance.

The issue is chronic, unrelieved stress. When the pressure never lets up and the nervous system never gets the chance to reset, that is when the problems start.

The distinction matters for this audience. Adversarial practice is intrinsically demanding and many attorneys perform at their best under acute pressure. Nothing in this session proposes otherwise. The concern is the absence of recovery between demands, not the presence of demand.

2.4 What a regulated nervous system looks like

- Alert and focused during the day, because cortisol levels are following their natural rhythm.

- Genuinely sleepy at night, and able to fall and stay asleep, which reflects a healthy balance between melatonin and cortisol.
- Digestion works the way it should (the body can digest food and absorb nutrients properly).
- Able to rest without the underlying feeling that something else should be getting done, which is a sign of psychological safety and a reduced stress response.
- Recovery after a hard day, rather than carrying it into the next one.
- Energy for the things that actually matter, not just enough to get through a task list.

That is what is meant by regulation. Not perfect. Not stress-free. A nervous system that can respond to pressure and then return to baseline.

2.5 The nervous system is bidirectional

No matter where an individual is starting from, they have more influence over their stress levels than they might think. The nervous system works in both directions. It responds to the environment: light, noise, deadlines, and the energy of the people nearby. It also responds to the individual: breath, movement, food, boundaries, and how a person speaks to themselves. The most immediate tool available is the breath, because it directly stimulates the vagus nerve, which is the primary pathway of the body's calming response.

2.6 The five protective states

Under stress, the nervous system shifts into different protective states. It uses neuroception to decide which state to occupy. This happens automatically, based on cues of safety or danger.

State	Associated experience
Fight	Rage, anger, irritation, frustration
Flight	Panic, fear, anxiety, worry and concern
Freeze	Withdrawing, numbness, emptiness
Fit In	Blending, disappearing, isolation
Fawn	Feeling trapped, guilt, resentment

Most people know about Fight or Flight: the high-alert, adrenaline-fueled state that arrives under pressure and on empty. There are other states too. Freeze, a shutting down or going numb. Fit In and Fawn, appeasing or over-adapting in order to stay safe.

The key point is that the nervous system is adaptive. Every state serves a purpose, which is to protect. None of them is bad. The challenge comes when a person becomes stuck in one state for too long, or loses the ability to return to balance, which is called regulation. Most people also have a default stress response.

The professional implications differ by state, and are worth naming for this audience. An attorney in Fight presents as short with colleagues and combative beyond what the matter requires. An attorney in Freeze does not open the file. An attorney in Fawn agrees to a deadline they cannot meet.

2.7 The experience of overload

The nervous system can respond to psychological pressure in ways that resemble its response to physical danger. The amygdala, a brain region involved in detecting potential threats, may interpret an overwhelming

inbox or a high-stakes deadline as a source of risk, activating stress hormones such as cortisol and adrenaline. Although the brain can distinguish between physical and psychological threats, both can activate overlapping stress-response systems.

The evidence for this is substantial. A meta-analysis of 208 laboratory studies involving 6,153 participants found that tasks involving social-evaluative threat, in which performance could be judged negatively, elicited a significantly greater cortisol response than tasks without that element. The largest cortisol changes, and the longest times to recovery, occurred where social-evaluative threat was combined with a lack of control over the outcome (Dickerson and Kemeny, 2004).

This stress response evolved to support survival. In a modern workplace, however, repeated activation can contribute to sustained stress. The body prepares to respond: heart rate increases, muscles tense, and thoughts may accelerate. This may be reflected in behaviors such as multitasking, scrolling, or avoiding the inbox altogether. These behaviors can arise when the nervous system is attempting to regulate a heightened stress response and should be understood within that wider physiological context.

2.8 Micro-recovery within the working day

The cycle is interrupted by sending the body a cue of safety. This does not require significant time.

- **A slow exhale before opening the inbox.** The exhale is more powerful than the inhale when it comes to calming the nervous system. During a longer exhale, the vagus nerve helps activate the body's recovery response, slowing the heart rate and signaling safety to the brain. That is why even a few slow breaths can help reduce stress in the moment.
- **Setting a timer for focused work intervals.** When the brain can see a boundary on a task, it reduces the open-ended threat signal that an overflowing inbox creates.
- **A grounding technique.** As simple as placing both feet flat on the floor and noticing the breath. That redirects attention from threat processing to physical sensation, which interrupts the stress response at the neurological level.

These are not relaxation exercises. They are physiological tools, and the research supports them. Used consistently, they move the individual out of react mode and into a state where they can think clearly, communicate effectively, and respond to what is actually in front of them.

For attorneys, the professional application is direct: the interval immediately before a client call, a hearing, or a difficult conversation with opposing counsel is the point at which regulation has the greatest effect on the quality of what follows.

2.9 General support for the nervous system

There are evidence-based measures that support nervous system function. A wholesale change of life is not required.

- Breath work. Even one slow exhale before a difficult conversation changes a person's physiological state.
- Reducing stimulation where possible: dimming lights, less time on the phone.
- Movement. It does not have to be a workout. A stretch at the desk or a short walk outside is enough to metabolize excess cortisol and reset the baseline.
- Nourishing food and adequate rest. These are foundational. The nervous system does its repair work during sleep. Without it, everything else is harder.
- Boundaries. In this line of work that word can feel unrealistic, so it helps to think of it as the smallest possible thing. Eating lunch away from the desk. Leaving the phone alone for the first ten minutes of the morning.

These small shifts signal to the nervous system that a person is safe and supported. Small wins compound.

3. The full picture of stress

3.1 What burnout is commonly assumed to be

Burnout is generally associated with overwork: long hours, heavy caseload, too much on one's plate. All of that is true, and in legal practice it is measurable. In the ALM and Law.com Compass Mental Health Survey 2025, 65.5% of respondents reported that billable-hour pressures were negatively affecting their mental well-being, an increase of nearly four percentage points over the previous year. In the same survey, 73% reported that their work environment was contributing to mental health difficulties. There is another driver that is almost never named, and it is one of the largest contributors to depletion in the profession at present.

3.2 Change

Change, not the welcome kind. Not a new role, a promotion, a new city. The change most people are actually living through at work: colleagues leaving, people being let go, restructures, a new supervising partner, a new system, priorities shifting again.

The brain builds an internal map of working life. Who sits where. Who to go to. What matters. What is coming next. When something shifts, the brain has to rebuild that map. While it is doing that work in the background, less energy is available for the work being done in the foreground.

This is why periods of change leave people feeling exhausted even when nothing dramatic has happened. The stress is not coming from one large event. It is coming from constant low-level updating. Bordia and colleagues (2004) found that uncertainty during organizational change predicts psychological strain, and that the relationship is mediated by control: where people retain a sense of control, the strain is reduced.

In legal practice the map is unusually dense. Each supervising partner has distinct expectations, preferred channels of communication and working hours. Associates who rotate between practice teams or groups must rebuild that map on each rotation while carrying a full caseload. The rebuilding is invisible and cognitively expensive.

3.3 The professional standard that has no equivalent elsewhere

Legal practice carries an occupational standard that shapes the entire stress picture, and it is rarely stated explicitly.

Clients retain lawyers precisely so that mistakes are not made. It follows that lawyers cannot make mistakes. A stray period in a memorandum is not read as a typographical slip; it is read as evidence about the drafter's capability. This standard is not taught in law school. Law school teaches the reading of dense material at volume and an analytical framework for the law. The standard is absorbed afterward, in practice, from those who supervise.

This matters clinically. Perfectionism in this profession is not simply a disposition to be moderated. It is a rational adaptation to a real professional standard, in a small jurisdiction where reputation is durable and visible. That is why generic advice to "let go of perfectionism" does not land in a room of attorneys, and why this session does not offer it.

It also has a measurable physiological signature. The meta-analysis referred to at Section 2.7 found that the largest cortisol responses arise from tasks that combine social-evaluative threat, where performance may be judged negatively, with a lack of control over the outcome (Dickerson and Kemeny, 2004). That combination is not an occasional feature of legal practice. It is a description of the ordinary working conditions of an attorney with a demanding caseload and a supervising partner.

Spinning your wheels

The consequence has a name within the profession, and it describes the mechanism by which depletion becomes a competence problem.

> A depleted attorney, anxious about error, redrafts the same work two or three times. The work does not improve on the second or third pass; it simply takes longer. That time is not billable. The financial shortfall then generates further stress, which prompts longer hours, which deepens the depletion.
>
> ***You cannot bill a client for spinning your wheels.***

This is the point at which the clinical and the professional meet. What begins as a physiological state ends as degraded work product, unrecoverable time, and a widening gap between hours worked and hours billed. The ALM 2023 survey found that 62% of respondents in the profession reported trouble concentrating; 70% reported exhaustion and 54% lost motivation.

Rule 1.1 requires that competent representation be provided, and that it comprises the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

3.4 The stages of the stress response

When the stress response does not get a chance to reset, the body moves through predictable stages. The General Adaptation Syndrome explains how stress affects the body in three stages. Although first described by an endocrinologist in the 1930s, this has been referenced for decades in research and it remains a helpful way to visualize stress progression.

Stage	Description
Alarm	The first stage, when the body responds to everyday stress. It can be responding to normal life demands, and cortisol and adrenaline hormones spike.
Resistance	When the body is really trying to cope with it. Cortisol levels are still really high. Many people get stuck in this phase for too long.
Exhaustion	The red zone. This is when the body cannot keep up. Systems start to break down, and fatigue and lowered immunity mean the person is getting sick all the time. And this is burnout.

Reference: Selye H. A syndrome produced by diverse nocuous agents. Nature. 1936;138(3479):32. doi:10.1038/138032a0

The takeaway is to identify the zone in which one is currently operating, and the inputs contributing to it. For attorneys in firm practice, the fiscal calendar gives this a predictable annual shape. Where a firm’s year closes at the end of September, the preceding months are the period of greatest accumulated load, and the new year’s climb begins immediately afterward. Recovery windows must be planned around that cycle rather than left to chance.

3.5 Burnout is not a failure of resilience

Burnout is not a sign that somebody lacks resilience. In fact, burnout often affects highly resilient people.

This is now the settled view in the profession's own research. The ABA Commission on Women in the Profession, reporting in 2026 on a study of 2,915 lawyers, concluded that stress in legal practice is

cumulative, systemic, and shaped by organizational structures and cultures rather than by individual resilience alone.

The people most at risk are often those who have been coping, adapting, and pushing through for months or even years. They have been meeting deadlines, supporting clients, looking after their teams, and continuing to perform despite increasing demands.

The challenge is that resilience is often misunderstood. In many workplaces, resilience has become synonymous with endurance. Keep going. Work harder. Push through. But resilience is not endurance. It is not about tolerating more pressure or more stress.

Resilience is built on three interconnected systems

- **Physical resilience** is how well the body is resourced. Sleep. Nutrition. Movement. Rest. The foundations that keep the nervous system and body functioning.
- **Emotional resilience** is the capacity to feel things and recover from them: to tolerate stress, regulate emotions, stay connected to other people, and respond to the emotional energy in a room without becoming overwhelmed by it.
- **Cognitive resilience** is the ability to think clearly, focus, problem solve, prioritize, and make decisions.

These three systems are deeply connected. When one starts to drop, the others usually follow, and the pattern is often very predictable.

Suppose physical resilience takes the first hit, and someone has been sleeping badly for a few weeks. They are more tired, so they stop doing the things that normally help regulate them. They cancel plans. Skip the gym. Stop going for walks. Avoid socializing. Perhaps they stop taking proper lunch breaks or having those small moments of connection during the day.

Now emotional resilience starts dropping, because they have pulled away from the people and connections that help them feel grounded. And once someone feels both exhausted and disconnected, cognitive resilience starts taking a hit too.

That is when work starts to feel harder. Concentration slips. Decision-making takes longer. Small mistakes creep in. The same email gets read three times.

This is often how burnout develops. Not from one dramatic event, but from a gradual depletion across multiple systems. That is why understanding where the depletion started matters. If someone is struggling to focus, the answer may not be another productivity technique. The issue may sit further upstream in sleep, recovery, or connection.

3.6 How burnout presents

Burnout does not always look the way people expect it to. It presents differently in different people, which is why so many high-performing professionals miss the signs until they are already deep in it.

Presentation and prevalence also differ by gender. The 2026 ABA study found women lawyers reporting materially higher rates than men across sleep disturbance, anxiety and stress, with the difference attributed to cumulative and often invisible stressors rather than to differences in coping.

Burnout does not have an official symptom checklist, and that is because it is not a medical diagnosis or a mental health condition. The World Health Organization includes it in the International Classification of Diseases as an occupational phenomenon rather than as a medical condition, defining it as a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed.

What is known is that it affects people across four areas - physically, emotionally, cognitively and behaviorally. Commonly reported: fatigue; snapping at people; feeling numb; loss of motivation; headaches, gut issues and body pain; morning dread or anxiety; trouble focusing.

3.7 Before assuming burnout

Some symptoms, such as fatigue and brain fog, can also be caused by other health issues:

- Anemia (low iron or B12).
- Thyroid issues.
- Hormonal imbalances. Sex, thyroid and insulin hormones impact sleep, energy, weight and mood.
- Depression or ADHD, both of which overlap significantly with burnout symptoms.
- Chronic infections.
- Sleep apnea.
- Substance use, which disrupts mood regulation and sleep.

Where something feels off, a conversation with a primary care physician is the right next step. The right diagnosis means the right treatment.

This is a matter of professional consequence and not only personal health. An attorney who attributes a treatable condition to workload will adjust the workload and see no improvement, while the underlying cause continues to affect concentration and judgment.

3.8 Recovery

If it is burnout, recovery goes beyond rest and good nutrition. It requires genuine psychological and behavioral change. No supplement protocol will fix burnout. Supplements may support the body during recovery, but they do not address what is driving it.

For many people that includes patterns such as chronic people-pleasing, perfectionism, difficulty relinquishing control, and consistently deprioritizing their own needs. These are not character flaws. They are often the exact traits that made someone successful in a demanding career. But left unexamined, they become the engine of burnout.

In this profession that observation requires particular care. The traits described are, in substantial part, the traits the profession selects for and rewards. The proposition is not that attorneys should become less rigorous. It is that rigor applied without limit to matters that do not require it consumes the capacity needed for matters that do.

3.9 Grief

There is one further driver of depletion that sits alongside change, is frequently mistaken for burnout, and is almost never named at work.

The word grief is generally associated with death, with something significant. But the brain responds to a much wider range of losses than that, because grief, at its core, is what happens when something a person depended on is no longer there.

At work, that can be a colleague leaving. A supervising partner moving on. A team being restructured. A system long relied upon, replaced. Each of these is a loss of something the brain had built into its map of the working world.

It is similar to change, but with grief the symptoms are a lot like burnout, with tiredness, low motivation and pulling away. The response to change, to grief and to burnout all use the same signals. Which is why so many people going through organizational change think they are burning out, when actually they are grieving something they have lost.

The stages are not linear

Most people are taught that grief follows five neat stages: denial, anger, bargaining, depression, acceptance. A straight line one moves through and eventually comes out the other side of. But Elisabeth Kübler-Ross later

clarified that grief was never meant to be linear. A person can move back and forth between emotions, revisit them, or experience several at once. Kübler-Ross and Kessler are explicit on the point: the stages are not stops on a linear timeline, and not everyone goes through all of them or in a prescribed order (Kübler-Ross and Kessler, 2005).

Consider a practice group meeting at which a significant change is announced. One person becomes frustrated. One goes quiet. One asks a great many questions. Another appears completely unaffected.

It lands differently for two reasons. First, the stress response, and which protective state a given nervous system reaches for. Second, previous experience. Someone with substantial experience who has been through organizational change before has evidence that they will get through it; their brain knows it is safe.

This has a direct supervisory application. A junior associate does not yet have that reference point. What feels manageable to a partner who has seen several cycles may feel deeply uncertain to someone in their second year. That difference is not a difference in resilience. It is a difference in accumulated evidence and experience.

4. Indirect trauma exposure in legal practice

4.1 What it is

Some fields of practice involve sustained contact with accounts, images and records of serious harm. Criminal practice, family law, personal injury, immigration, child welfare and public defense all carry this exposure as an ordinary feature of preparing a matter properly. Three related terms are often used interchangeably, and the distinction matters because the appropriate response to each is different.

Term	What it means
Burnout	An occupational phenomenon, defined as a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed (World Health Organization, 2019). It develops gradually and can occur in any occupation.
Secondary traumatic stress	Symptoms resembling those of post-traumatic stress disorder, including intrusive memories, avoidance and hyperarousal, arising from indirect exposure to another person's trauma through professional work (Léonard, Saumier and Brunet, 2020).
Vicarious trauma	Negative changes in a professional's underlying beliefs and assumptions about themselves, other people and the world arising from work with traumatized individuals or traumatic material (Léonard, Saumier and Brunet, 2020).

The framework behind these terms is Constructivist Self-Development Theory, set out by McCann and Pearlman in 1990. It holds that people build their understanding of the world through cognitive schemas, and that sustained engagement with other people's traumatic material can alter those schemas, particularly assumptions about safety, trust, control and esteem.

4.2 Why this matters in every firm

> **A note for firms whose own practice does not involve this material**

> A firm may handle no criminal, family or child welfare work at all and still have people in the building carrying this exposure. Lateral hires, new partners, associates who clerked in the courts or spent early years in public defense, prosecution or immigration practice, and colleagues who have done pro bono work in those fields, all arrive with that work experience.
>
> That experience can shape how someone responds to pressure, how they handle distressing material that does arrive unexpectedly, and how quickly they reach depletion in the new setting. Leaders and supervising attorneys are asked to recognize this possibility rather than assume that the firm's current caseload describes the experience of everyone working on it.

This connects directly to the rest of the session. Unrecognized exposure of this kind commonly presents as fatigue, low motivation and withdrawal, which is the same picture described at Section 3.6. It is therefore frequently mistaken for burnout and addressed with rest, to no effect. Where it goes unaddressed it also contributes to the depletion described at Section 3, and to the degradation of concentration and judgment described at Section 3.3.

4.3 What the evidence shows

Research specific to attorneys is more limited than that for clinicians and first responders, but the findings are consistent. In one study, attorneys reported substantially higher rates of secondary traumatic stress and burnout than administrative staff, with greater exposure associated with longer hours and more client contact (Levin and others, 2011).

Across the wider literature, 9% to 15% of lawyers met screening criteria for post-traumatic stress disorder, while 15% to 34% reported high or severe secondary traumatic stress symptoms. Greater exposure to traumatic client material was among the identified risk factors (Léonard, Saumier and Brunet, 2020; Iversen and Robertson, 2021).

The DSM-5 also recognizes indirect exposure to traumatic material in the course of professional duties as a potential route of exposure for post-traumatic stress disorder.

4.4 What this asks of leaders

Where a firm does allocate this kind of work, the distribution of matters, the pacing of exposure and the availability of a debrief afterward sit with the people who assign the work. Those are properly considered part of the reasonable efforts required under Rule 5.1.

Where a firm does not, the ask is narrower and simpler: to hold in mind that exposure history travels with people, and to treat an unexplained change in a colleague's capacity as information rather than as a judgment about them. Preparation before exposure, rather than support after it, is an emerging practice within the profession and is available in this jurisdiction. Section 7 sets out the route.

5. Boundaries, resilience and supervisory practice

5.1 Regulation is a skill

The nervous system is adaptable. It is designed to respond to pressure, but it is also designed to return to balance. Regulation is not something a person either has or does not have. It is a skill, and like any skill it can be strengthened with practice.

5.2 Self-compassion

Research shows that self-compassion-focused practice reduces stress, anxiety and depressive symptoms, with smaller effects still detectable at follow-up.

In practical terms, it is how a person speaks to themselves when something does not go perfectly, and whether the internal response is harsh and critical or steady and constructive.

High performers often default to self-criticism in the belief that it drives results. Constant internal pressure keeps the stress response activated. Speaking kindly to oneself, taking a break without guilt, setting a boundary when needed, and noticing limits rather than ignoring them are not soft skills. They are protective.

5.3 What helps when navigating uncertainty

The research is surprisingly consistent. The first of the four below is drawn from the Dual Process Model of coping with bereavement (Stroebe and Schut, 1999), which describes healthy adaptation as an oscillation between confronting a loss and attending to ordinary life, with breaks from either being part of the adaptation rather than a failure of it.

- **Oscillation.** Healthy coping involves moving between engaging with the difficult thing and reconnecting with normal life.
- **Acknowledgment.** Feeling seen, heard, or understood can significantly reduce emotional load. Sometimes one good conversation makes more difference than ten pieces of advice.
- **The physical basics.** Sleep, movement, food and hydration. They sound simple, but they are often the foundation that supports everything else.
- **Connection.** During stressful periods many people withdraw, yet connection is one of the strongest regulators available. A walk, a coffee, a check-in, or time spent with someone trusted.

Most people adapt gradually. Resilience is about creating enough stability to move through uncertainty one step at a time.

A confidential relationship with a colleague practicing in the same field, someone who understands the pressures without requiring them to be explained, is among the most effective supports available.

5.4 Boundaries in legal practice

Boundaries in this profession operate across four distinct professional relationships, each with its own considerations, and each with a bearing on professional obligations.

Domain	Consideration
Clients	Where a professional relationship becomes a friendship, over-familiarity can distort advice. Maintaining an appropriate distance is a condition of independent professional judgment, not a matter of personal preference.
Opposing counsel	Adversarial conflict is professional and not personal. Taking matters personally imposes a physiological cost that persists beyond the matter, and is inconsistent with the civility component of professionalism.
Supervised staff	Care for those one supervises without sacrificing personal capacity to the point where one’s own work is affected.
Perfection	Knowing when to stop re-reading and to move on. This is a boundary against all-or-nothing thinking, and it is the one that most directly determines whether the “spinning your wheels” cycle at Section 3.3 takes hold.

Practices that can be applied immediately

- **Schedule-send outside working hours.** How a person works sets the tempo for the people around them. The work may demand late nights and weekend work, and no one is suggesting that changes. But when a supervising partner's eleven o'clock email lands in an associate's inbox, or a senior's Sunday message reaches a junior lawyer, it sends an implicit signal about expected availability, even when none is intended. Scheduling those messages to send the next working morning costs nothing. Reserve real-time late sending for genuine urgency, shared deadlines, or matters where everyone is already live.

  The association strengthens with the amount of out-of-hours work. In a survey of 1,643 New Jersey attorneys, those who worked seven or more weekend days a month were six times as likely to report burnout as those who worked less than one, and those working an average of 15 to 20 additional hours outside normal business hours during the week were eight times as likely to report burnout as those who rarely or never did (New Jersey State Bar Association, 2023).
- **Protected focus time.** Constant interruption is one of the biggest drains on cognitive energy, and this work needs protected time to be done well. Blocking even twenty or thirty minutes restores a sense of control over the day, and perceived control is one of the strongest buffers available against chronic stress.
- **Stepping away from the desk to eat.** Eating at the desk keeps the body in work mode. Even ten or fifteen minutes away helps reset attention, regulate energy, and reduce stress.
- **Schedule emotionally demanding work thoughtfully.** Difficult client calls, challenging feedback, and reviewing distressing material can require more energy than the time involved might suggest. When there is flexibility around timing or support, using it thoughtfully can reduce the cumulative strain that builds throughout the week.
- **Have a conversation about workload and priorities.** A junior attorney may not be able to decline work outright, but they can explain their current commitments and ask the supervising attorney to clarify priorities. This may lead to an adjusted deadline or reassigned work while preserving the professional relationship. It also gives the supervising attorney a more accurate view of the associate's workload.

The wider point is that these behaviors create an environment in which people can switch off, recover, and sustain a long career in the profession, rather than simply getting through the next quarter.

5.5 Leading through change

A leader's nervous system is part of the room. Energy, tone, and whether a person is regulated or running on empty all shape the state of everyone around them. A team reads its leader before it reads the agenda. The most valuable thing a leader brings to a difficult period is steadiness.

Five practices can support teams through periods of change:

- **Name what is staying the same.** During change, people are told what is changing. New structure. New priorities. New system. What they are almost never told is what is staying the same, and that is the piece a team needs in order to settle. Whether it is the values, the people, or the way the group works together, if something is staying the same, name it.
- **Say when the next update is coming.** Not only when there is news, but when there is none. An anchor point in time gives the brain something to predict, which gives it permission to stop scanning. People can cope with a great deal more uncertainty than they are given credit for, provided they know when the next update is coming.
- **Acknowledge before trying to fix.** The instinct is usually to solve the problem and get the person back on track. What people need is to feel seen, and then to feel trusted to find their own way through.
- **Use low-pressure settings.** A check-in with someone who is going through something can be held walking rather than sitting across a desk. Side by side, neither person is locked in eye contact, the pressure drops, and people are often more willing to speak openly.

- **Notice without assuming.** A leader's role is not to diagnose what is going on for someone. It is to notice changes without making assumptions, create space, and refer them to the right help where it is needed.

5.6 How colleagues talk to each other

People on the same team can experience the same event very differently. For some it is personal. For others it is something they care about but do not feel in the same way. Both can be true at the same time.

The challenge is that many people stay silent for fear of saying the wrong thing, and silence is often read as not caring.

Perfect words are not required, nor is a full understanding of another person's experience. What matters is acknowledging the person in front of them. A simple opener, such as asking how the person is managing their workload, is enough. If the situation is already known, they might say, "I don't know exactly what to say, but I wanted to check in."

If the conversation does not go as intended, repairing the situation matters more than being perfect, and a genuine apology can go a long way. No one gets these conversations right every time. In most cases, checking in is better than saying nothing at all.

6. Professional responsibility

This section sets out the professional obligations that the clinical material bears on directly.

6.1 Rule 1.1. Competence

> *"A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."*

Thoroughness and preparation draw on cognitive capacity, and cognitive capacity is not fixed. Section 3.5 describes how depletion in one system propagates to the others, with clear thinking, focus, and prioritization can be the first to go and the most consequential when they do. The point is not that any attorney is falling short. It is that the standard the Rule sets is demanding by design, and the conditions that make it achievable are physiological as well as professional. What is less often discussed is what sustains the capacity to meet it, week after week, across a career.

6.2 Rule 1.3. Diligence

> *"A lawyer shall act with reasonable diligence and promptness in representing a client."*

Diligence is rarely the problem in this profession. Attorneys will do a great deal to meet a commitment to a client, and will absorb considerable personal cost to do it well. That instinct is a professional strength, and one of the reasons clients trust the profession as they do.

The difficulty is that the same instinct, sustained without recovery, has a physical cost. Section 2 sets out what happens to a nervous system never given the chance to return to baseline, and Section 3 describes where that leads.

6.3 Rules 5.1 and 5.3. Responsibilities of partners, managers, and supervisory lawyers

Rule 5.1, "Responsibilities of partners, managers, and supervisory lawyers," requires partners and lawyers with comparable managerial authority to make reasonable efforts to ensure the firm has measures in place giving reasonable assurance that all its lawyers conform to the Rules of Professional Conduct, and requires any lawyer with direct supervisory authority over another to make reasonable efforts to ensure that lawyer conforms. Rule 5.3, "Responsibilities regarding non-lawyer assistance," imposes a corresponding obligation in respect of non-lawyer assistants.

ABA Formal Opinion 03-429, Obligations with Respect to Mentally Impaired Lawyer in the Firm, issued 2003, addresses this directly. If a lawyer's mental impairment is known to partners in a law firm, or a lawyer having direct supervisory authority over the impaired lawyer, steps must be taken that are designed to give reasonable assurance that such impairment will not result in breaches of the Model Rules.

Observable indicators available to a supervising lawyer

- Failure to appear where appearance was expected.
- Assignments not completed, or completed materially later than the attorney's own established pattern.
- A perceptible loss of the attorney's usual edge in analysis or advocacy.
- Change in the manner or frequency of communication, or withdrawal from collegial contact.
- A shortfall against expected hours, which is a professional signal before it is a financial one.

The significant feature is repetition. Any one of these may reflect an ordinary difficult period; a pattern is information, and once observed it engages the supervisory obligation.

Why self-report cannot be relied upon

Attorneys do not, in general, self-report, and this is measured rather than impressionistic. In Krill, Johnson and Albert's 2016 study of 12,825 licensed attorneys, the two most common barriers to seeking treatment were not wanting others to find out that help was needed, and concerns about privacy or confidentiality. The consequence is straightforward. A supervisory system that depends on an attorney raising their hand will detect the problem late. Reasonable efforts under Rule 5.1 therefore require observation, not merely availability.

6.4 The competing consideration

There is a legitimate objection to framing this subject in the language of professional responsibility, and it should be stated rather than avoided. Attaching an ethical dimension to depletion risks adding professional jeopardy to a subject already governed by stigma, and driving disclosure further underground. The risk is real but outweighed, on two grounds. The supervisory obligation exists whether or not it is discussed, and leaving it unaddressed does not remove it. More importantly, the framing places the primary duty on those with managerial and supervisory responsibility rather than on the depleted attorney.

Nothing in this session creates a reporting obligation in respect of one's own health, and nothing in it suggests that seeking assistance is a professional risk.

7. Confidential support and resources

The resources below are specific to the legal profession in Delaware, listed in the order attendees are advised to consider them.

7.1 Why a profession-specific route

Employee assistance programs (EAPs) are widely available. Attorneys use them at low rates for a structural reason: where a program runs through the employer, attorneys may perceive that engagement is visible to the

organization. Given the evidence at Section 6.3 that not wanting others to find out is among the most common barriers attorneys report, a route independent of the firm is therefore available.

The ABA Commission on Women in the Profession found the same pattern: the existence of a policy does not equate to its accessibility. Lawyers were aware of the well-being resources their workplaces offered but did not trust them, citing confidentiality and whether use would be read as a lack of commitment. The Commission recommended that organizations treat mental well-being as an organizational responsibility and provide confidential resources while addressing the structural contributors to stress (Brown, Cunningham and Ramsey, 2026).

7.2 Delaware Lawyers Assistance Program (DE-LAP)

Feature	Detail
Standing	Established jointly by the Supreme Court of Delaware, the Delaware State Bar Association and the Board on Professional Responsibility, Office of Disciplinary Counsel.
Confidentiality	Communications are confidential. Under Rule 8.3 of the Delaware Lawyers' Rules of Professional Conduct, the relationship between the Lawyers Assistance Committee and a lawyer or judge is accorded the same protection as that between attorney and client.
Eligibility	Available to Delaware attorneys, including solo practitioners and those at small firms, irrespective of employer or insurance status.
Support provided	The Delaware Lawyers Program will cover up 10 therapy sessions. The program refers to trusted therapists and psychiatrists located in Kent, New Castle and Sussex counties.
Practical assistance	Assists in arranging appointments without the usual intake delay, and works with the judiciary so that pending matters can be managed while an attorney receives treatment.
Access	Contact Jim Deel, Executive Director, Delaware Lawyers' Assistance Program, directly at 302-610-8234 or via email at jdeel@de-lap.org. This will allow DE-LAP to refer to a trusted therapist or psychiatrist depending on needs or assistance with peer program referrals.

The provision on pending matters is worth noting in particular. The most frequently cited practical obstacle to accepting treatment is the caseload that would go unattended, and that obstacle has been addressed within this jurisdiction.

7.3 Additional resources

- Employer's Assistance Program, where available. These programs remain available and appropriate for many purposes and are complementary to the route above.
- Referral to clinicians experienced with the profession. A list of practitioners is available through the Delaware Lawyers Assistance Program.
- Primary care physician. Where symptoms may have a clinical cause other than occupational stress, as outlined in Section 3.7, assessment should be sought through the usual healthcare channels.

- Trusted colleague within the profession. A confidential relationship with a practitioner in a comparable field, as described in Section 5.3.

A note on assumptions

Not every attorney holds employer-provided health coverage. Solo practitioners, those at small firms and some in public service may not, and assessment for conditions that present similarly to burnout can be costly. The resources above do not depend on employer coverage.

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Support for Delaware Attorneys

This sheet accompanies the session on recognizing and recovering from burnout in legal practice. Everything listed here is available to any attorney practicing in Delaware, whatever their firm, and whether or not they hold employer health cover.

If your organization provides its own health and wellbeing benefits, those sit alongside what follows rather than in place of it.

Why an independent route exists

Research into the profession has consistently found that the main barrier to attorneys seeking help is neither cost nor availability. In Krill, Johnson and Albert's 2016 study of 12,825 licensed attorneys, the two most common barriers to seeking treatment were

1. not wanting others to find out they needed help and
2. concerns regarding privacy or confidentiality.

The service below was built for that reason. It is independent of any employer, and using it is not visible to one.

1. Delaware Lawyers Assistance Program

A confidential service for Delaware attorneys, operating under the Supreme Court of Delaware and unconnected to any firm or employer.

Feature	Detail
Confidentiality	Communications are confidential and cannot be compelled by the court. Engagement is not reported to any employer.
Who can use it	Any Delaware attorney, including solo practitioners, those at small firms, and attorneys in public service. It does not depend on employer health cover.
What it funds	A course of 10 therapy sessions and, in severe cases, the cost of residential treatment. It can also contribute toward the cost of assessment where there is a demonstrated need.
Getting seen quickly	Appointments are arranged directly with clinicians, bypassing the usual intake delay.
Your caseload	Works with the judiciary so that pending matters can be managed while an attorney receives treatment. This is often the practical obstacle that stops people accepting help.
Where	Statewide. Meetings can be arranged away from your workplace.
Contact	Smartphone: 302-610-8234 Telephone: 302-777-0124 Email: jdeel@de-lap.org

Feature	Detail
	Website: www.de-lap.org Office Address: 704 N King St., Suite #110, Wilmington, DE 19801

If the concern is that using support might be visible at work, this is the route designed for exactly that.

2. Clinical assessment

Fatigue and difficulty concentrating are not always the result of workload. Anemia, thyroid conditions, hormonal imbalances, chronic infections, sleep apnea, and depression or ADHD can all present in a similar way, and several of them are straightforward to test for.

Where something feels off, a conversation with a family doctor is the right first step. Adjusting a workload will not resolve a condition that has a different cause, and the right diagnosis means the right treatment.

A note on cost and cover

Not everyone reading this holds employer health cover. Solo practitioners, attorneys at small firms and some in public service may be paying out of pocket, and assessment for conditions that present similarly to burnout can be expensive. Where that is the barrier, the Delaware Lawyers Assistance Program can contribute toward the cost of assessment where there is a demonstrated need.

3. Colleagues and peers

The Delaware bar is small. There are 3,058 (ABA National Lawyer Population Survey 2024) attorneys practice in the state, which means people know one another, appear against one another repeatedly, and understand the pressures without needing them explained.

That familiarity raises the stakes on reputation, but it is also the most accessible form of support available in this jurisdiction. A confidential relationship with someone practicing in a comparable field, whether inside your organization or outside it, is consistently identified by attorneys who have come through a difficult period as the thing that helped most.

Building those relationships outside your own practice group, before they are needed, is worth doing deliberately.

Disclaimer:

This sheet is for general information only and is not a substitute for professional medical advice. If you have concerns about your health, book an appointment with your own doctor. Do not avoid or delay seeking medical advice or treatment because of something you have read here.