

Sustaining and Supporting Well-Being in Public Defense

Inventory Checklist of Tools and Strategies

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Individual (Sphere One) Inventory and Strategies to Support Well-Being: This is a tool to check in and observe how well you are creating practices to support your own well-being, with a sense of curiosity. The goal of reviewing this is to reflect and strategize, not to increase feelings of overwhelm or inadequacy. It can be one tool to engage in regular structured goal-setting for the purposes of building supportive self-care.¹

Check in	Potential Strategies	Notes, Reflections, Intentions or Goals. What will I do to build knowledge and skills, seek support, or communicate my needs in this area?	Additional Resources
Physical Wellness			
Am I engaging in sufficient exercise to meet my needs to manage stress, have enjoyable recreation, and be physically able to complete the activities in my life?	<ul style="list-style-type: none"> Find a movement practice you enjoy—walking, yoga, running, anything. Increase movement by scheduling recreation time. Increase movement with walking meetings and physical activity during the work day. 		
Am I getting nutrition that I need?	<ul style="list-style-type: none"> Schedule meal planning and prep time 		What You Eat Affects Your Productivity. What Is The Best Diet For Mental Health?
Am I getting enough sleep?	<ul style="list-style-type: none"> Stop scrolling, streaming and looking at screens an hour or two before bedtime. 		tip sheet for a good night's sleep
Am I getting outside regularly?			Why Going Outside Is Good For Your Health
Am I managing use of alcohol or other substances, and seeking help if needed?	<ul style="list-style-type: none"> Be informed and mindful of the high rates of alcohol substance use impacts in public defense. Be attentive to your own patterns and changes in substance use. Consider seeking support and/or treatment. 		American Bar Association Lawyer Assistance Programs The Other Bar The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys 2017 ABA Well-Being Report at p. 13 Addiction in the Legal Profession

¹ This chart is inspired by and uses ideas from the National Wellness Institute (NWI) Focus Survey Tool, the NWI Wellness Inventory for Workplace, the U.S. Surgeon General's Framework for Workplace Mental Health & Well-Being, 2022, Focus Group and Findings: A Trauma Informed Care Audit Report to the Capital Defense Community and Advocacy Movement, Sage Wellness Group, LLC, 2023.

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Am I tending to my needs of medical appointments and care?	○ Maintain preventative health care appointments and care.		
Intellectual Wellness			
Am I able to continually learn and grow and develop (including learning from my own errors)?			
Do I have stimulating and creative tasks that are enjoyable?			
Can I stay informed and updated, and feel capable?			
Am I getting sufficient rest and rejuvenation to feel intellectually strong?			
Emotional Wellness			
Do I feel compassion and acceptance for myself?			
Am I engaging in activities to manage stress?	<ul style="list-style-type: none"> ○ Learn about the physiology of stress response. ○ Learn about long term health impacts of chronic stress. ○ Be attentive about your own stress response patterns, and develop stress management strategies. ○ Engage in regular movement/exercise. 		Understanding the stress response
Am I engaging and activities to metabolize trauma and heal from traumatic impacts?	<ul style="list-style-type: none"> ○ Learn about primary and secondary trauma, compassion fatigue, burnout and moral injury. ○ Prepare for traumatic exposure (such as evidence review): use teams and tools to divide the task, debrief the process, and decompress and transition into other activities. ○ Develop strategies and tools to process impactful material (physical activity, therapy, debriefing). ○ Engage in journaling, writing or movement practices useful to you. 		

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	<ul style="list-style-type: none"> ○ Access therapy and professional support. 		
Do I have resilience to manage my emotional responses to challenging situations?	<ul style="list-style-type: none"> ○ Engage in mindfulness practices. ○ Engage in gratitude practices. 		
Do I have the support and assistance that I need for my emotional needs and mental health, and the ability to ask for that help?	<ul style="list-style-type: none"> ○ Be mindful of the high rates of depression, stress, anxiety and suicide in our profession. ○ Consider professional support through therapy, counseling, and other mental health services. ○ Normalize conversation about mental health care and services, keeping resources available and destigmatized for yourself and others. 		National Suicide Prevention Lifeline Suicide and Crisis Lifeline (available 24/7) at 988.
Am I able to recognize the systemic obstacles to being effective, and to see that they are not personal failings?	<ul style="list-style-type: none"> ○ Learn about moral injury. ○ Be intentional about not internalizing feelings of individual failure in response to systemic obstacles to success. 		Fixmoralinjury.org Physicians aren't 'burning out.' They're suffering from moral injury YouTube video of Dr. Zubin Damania Those Who Love the Fight
Am I able to navigate communications with clients, colleagues, supervisors and others in the workplace? Can I adequately express positive and negative emotions?	<ul style="list-style-type: none"> ○ Be clear and kind. ○ Choose direct communication when possible. ○ Apologize when you've done something wrong. ○ Communicate your preferred methods of communication and ask others for their preferences. ○ Offer and accept appreciation and positive feedback. ○ Offer and accept constructive suggestions that are clear, kind and direct. ○ Communicate to the organization when your needs are not being met, and suggestions to meet them. 		
Occupational Wellness			

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Does my work feel meaningful and enjoyable?	<ul style="list-style-type: none"> ○ Engage in reflection, assessment, conversation, training or other activities to remind you why you chose this work and why you continue doing this work. 		
Am I able to show up as my whole self at work?	Engage in regular self-assessment to assess work engagement, burnout, job satisfaction, turnover intentions, and take action on the results.		
Am I able to balance time working with non-work activities?	<ul style="list-style-type: none"> ○ Set and maintain Boundaries ○ Schedule regular time away from work each day, week and year. ○ Commit to off hours. Don't remain available 24/7. Don't check messages during your off hours. Create an emergency notification for true emergencies only. ○ Use out of office auto-reply features to communicate when you are unavailable. ○ Set routines and rituals to end the work day. Clear your desk, update your prioritized task list and leave. ○ Continually assess and edit your projects and commitments; conclude and transition off of projects regularly. 		
Does my work connect with my personal values and a sense of mission and purpose?	<ul style="list-style-type: none"> ○ Engage in reflection, assessment, conversation, training or other activities to remind you why you chose this work and why you continue doing this work. 		
Do I feel I can successfully navigate the challenge of my work?	<ul style="list-style-type: none"> ○ Recognize that structural obstacles and under resourcing of public defense are not personal failure, personal defect or shortcoming. 		

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Do I feel physically and psychologically safe at work?			
Social Wellness			
Do I feel connected to love and supportive relationships with friends and family?			
Do I have a sense of belonging and community?	o Develop mentors and a supportive network that believes in you and your work, and that makes you feel supported and appreciated.		
Am I contributing to my loved ones and community in meaningful ways?			
Do I use my strengths in helpful ways?			
Am I able to build healthy relationship with clients, colleagues, supervisors and others in the workplace?			
Spiritual Wellness			
Do I feel meaning and direction in my life?			
Are my daily actions consistent with my values?			

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Organizational/Community (Sphere Two) Inventory and Strategies to Support Well-Being: This is a tool to check in and observe what supportive systems are in place in your organization, with a sense of curiosity. This goal of reviewing this inventory is not to increase feelings of overwhelm or inadequacy. It can be one tool to engage in regular structured goal-setting for the purposes of building supportive community care.

Check in	Potential Strategies	Notes, Reflections, Intentions or Goals in this Area	Additional Resources
Unity of Purpose and Mission			
How is well-being included in the mission and value statement of the agency?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022 2018 ABA Well-Being Toolkit at p. 4
How do key communications emphasize mission and values?	○		
How is it communicated that defenders who maintain their health and well-being, and who support each other, provide the highest level of care and representation to the people we defend?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
How are individuals within the organization regularly engaged and connected with the organizational mission?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
How does the organization communicate and demonstrate that it supports staff well-being across job categories and in all six wellness dimensions?	○		National Wellness Institute downloadable NWI's Six Dimensions Tool
How does the organization demonstrate that the highest priority goal of the organization is to provide high quality and client centered representation?	○		
Operational Wellness			
How does the organizations continually pursue sufficient operational resources?	○		
Does the organization have sufficient staff to cover planned and unplanned absences?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022

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Does the organization have sufficient staff that assigned tasks and responsibilities can be accomplished successfully with the time available (and compensated)?	○		2018 ABA Well-Being Toolkit at p. 8-9
Diversity, Equity, Inclusion, and Belonging			
How are Diversity, Equity, Inclusion, Belonging and Accessibility Operationalized in norms, policies and programs?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022 NAPD 10 Principles for Creating Sustainability in Public Defense
How are impacts on equity and inclusion evaluated in agency goals and initiatives?	○		The Management Center's SMARTIE goal tool
How are recruitment and hiring practices examined and re-examined?	○		
How are structural racism, ableism and implicit bias confronted in the organization?	○		
How are microaggressions addressed in the organization?	○		
How are historical trauma, racial trauma and disproportional trauma included in discussions of trauma impacts?	○		
How does the organization apply multicultural competency?	○ A culturally skilled practitioner is mindful of actively developing and practicing culturally appropriate intervention strategies and working appropriately within diverse communities		National Wellness Institute Multicultural Competence in Wellness page
Social and Community Well-Being			
Are community building events organized, offered, and attended?	○		
Are there events that de-center alcohol?	○		2017 ABA Well-Being Report at p. 31
Are family members included in well being initiatives?	○		

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Are there opportunities for all staff to be involved in community service and collaboration with community members?	○		
Emotional and Mental Well-Being			
How has the office created rituals, events and spaces for celebration, recognition, appreciation and gratitude?	○ Create a gratitude wall (or electronic channel for shout outs).		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
Are local, regional, state and national supportive mental health services posted and made available?	○		
Do the available health plans include coverage for mental health and substance use treatment, and are providers available?	○		
Is it regularly communicated that confidential support and assistance is available for mental health, substance use or other impairment?	○		2017 ABA Well-Being Report at p. 13
Is there an organizational approach to recognizing signs of trauma and burnout?	○		Trauma Stewardship
Is time made clearly available (flex time, etc.) for wellness, personal or mental health days off work?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
How has the office created supportive spaces to talk about difficulty or loss?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
How is conversation about the challenges of the work normalized?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
Is information made available to learn to manage stress?	○		Understanding the stress response
Is information made available to learn to mitigate traumatic impacts?	○ Include information about traumatic impacts in onboarding and continuous training.		Tiny Survival Guide The Toll of Trauma Keeping Legal Minds Intact: Mitigating Compassion

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			Fatigue Among Legal Professionals, Public Defenseless Podcast, Episode 40
Are staff engaging in trauma informed legal practice?	○		SAMHSA trauma informed practice
Physical Well-Being			
Are resources made available to learn about nutrition?	○		
Is healthy food part of events and meetings?	○		
Are kitchen facilities available?	○		
Is physical activity supported, encouraged and occurring?	○ Make showers and lockers available. ○ Provide bike storage. ○ Negotiate discounts at health facilities for staff. ○ Encourage fitness breaks. ○ Encourage walking meetings.		
Are work stations as flexible and comfortable and useful?	○ Provide ergonomic assessment and adjustment. ○ Provide sit/stand options.		
Is each person's work station ergonomically evaluated and fitted within the first month, and options for any specialized office equipment explained?	○ Provide ergonomic work station fittings as part of onboarding.		
Training, Development and Engagement			
Does initial onboarding include: how to take time off for illness, vacation, emergency and other circumstances; education about impacts of stress and trauma; how to confidentially access support and assistance for mental health, substance use, or other impairment?	○ Design and provide onboarding on how to take time off for illness, vacation, emergency and other circumstances. ○ Design and provide onboarding on education about impacts of stress and trauma. ○ Design and provide onboarding on how to confidentially access support and assistance for mental health, substance use, or other impairment.		NAPD 10 Principles for Creating Sustainability in Public Defense

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Are there clearly defined and equitable career paths and opportunities to advance?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
Are all staff in all job categories provided tools, resources and training needed to do their jobs successfully?	○		2018 ABA Well-Being Toolkit at p 11
How are challenges acknowledged and reasonable expectations communicated?	○		The Relentless Mental Toll of Public Defense
Are the core competency skills for each position and assignment clearly defined?	○		
Do all new staff receive education about trauma and stress management within the first six months, and at least one more time in the first two years?	○		The Toll of Trauma Keeping Legal Minds Intact: Mitigating Compassion Fatigue Among Legal Professionals, Public Defenseless Podcast, Episode 40
Do trauma informed care trainings include race-based trauma and culturally competent strategies?	○		
Is there ongoing education about trauma and stress management?	○		Understanding the stress response Burnout: The Secret to Unlocking the Stress Cycle
Is there training prior to entering a new assignment such that each person feels informed and prepared?	○		
Is mentorship provided for those in the early years of practice?	○		
How is growth mindset promoted, and conversation of mistakes and growth encouraged?	○ Develop a learning organization, where the stated expectation is that everyone will make mistakes and those mistakes offer opportunities for learning ○ Create continuous learning and a growing sense of mastery		2018 ABA Well-Being Toolkit at p. 84

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Is training provided on burnout, moral injury and resilience?	○		Physicians aren't 'burning out.' They're suffering from moral injury YouTube video of Dr. Zubin Damania Those Who Love the Fight
What steps are taken to build individual skills while acknowledging systemic obstacles and forced ineffectiveness?	○		
How does training reinforce the idea that wellbeing is foundational to competence and high performance?	○		2017 ABA Well-Being Report at p. 9 National Association of Legal Assistants, Inc. National Association of Social Workers Code of Ethics.
Are training programs anti-racist?	○ acknowledge racism ○ engage in self-reflection, commit to addressing it in the learning environment ○ reflect cultures and histories of nonwhite groups in the pedagogy		White Supremacy Culture—Still Here
Culture, Policy and Environment			
How are all staff enabled to get adequate rest?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
Is sufficient coverage provided for planned and unplanned absences?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
Is there a clear vacation policy, including encouragement of taking vacation, ease of requesting vacation time, ease of securing case coverage, and discouragement of work-related communication during vacation?	○		2018 ABA Well-Being Toolkit at p 12 2018 ABA Well-Being Toolkit at p 22.
How are schedules made as flexible and predictable as possible?	○		
Have all work flexibility options been clearly explained so that	○		

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people understand when they are expected to be physically in the office?			
Is there a wellness team, committee, initiative, or organized activities?	○		
Have communication expectations been clearly explained so that people understand when they are expected to be available by phone, text, email or other communication method?	<ul style="list-style-type: none"> ○ Define work hours. ○ Define work communication hours. ○ Discourage non-emergency work communication in nonwork hours. ○ Define emergency narrowly. 		2018 ABA Well-Being Toolkit at p 12.
What strategies are in place to support staff in navigating caregiving responsibilities outside of work?	○		I've Picked My Job Over My Kids
What strategies are in place to develop team cohesion and positive relationships with colleagues?	○		Self-care isn't enough. We need community care to thrive
What steps have been taken to ensure that decision making is as open and transparent as possible?	○		
Leadership and Supervision			
Are the regular surveys and assessments to understand the obstacles that are forcing ineffectiveness?	○		
Advocate to reduce systemic obstacles to providing high quality client-centered representation.	○		
Are leaders and supervisors openly supportive of well-being?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
Are leaders and manager performance reviewed based on support of well-being of staff?	○		
How is leadership continually advocating for sufficient resources for staff to complete work within the scheduled work day?	<ul style="list-style-type: none"> ○ Provide training and coaching for managers to speak to funders in budget advocacy about the need for 		

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	trauma informed programs and practices.		
Are leaders modeling boundaries by taking vacation, having off hours during each day, week and month?	○		
Do leaders model vulnerability by sharing difficult experiences and communicating how they can be supported?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
Are evaluators trained to give performance evaluations that are timely, fair and empathetic? Are efforts made to highlight positive accomplishments and skills gained?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
What steps are taken to promote autonomy of staff to manage their own schedules and workflow?	○		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022 2018 ABA Well-Being Toolkit at p. 84
How are staff members encouraged to take time off each day, week, month and year by having undisturbed rest times?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
How are non-emergency communications discouraged during non-work hours?	○		
How are people encouraged to share how they can best be supported?	○		
How are all staff included and engaged in workplace decisions?	○		
How is relevant, reciprocal feedback ensured?	○ Establish regular check-ins, coaching and/or mentorship.		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
Are the open processes to review and improve policies, evaluations, and communications?	○		

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Is training provided for leaders that includes realistic expectations?	○		
How is sincere, honest feedback prioritized and encouraged?	○		
Do leaders model resilience: sustaining well-being and integrity in the face of challenges?	○		NAPD 10 Principles for Creating Sustainability in Public Defense
Do leaders engage staff in communications to identify challenges and reduce obstacles?	○ Provide training and coaching for managers and supervisors to improve organizational support.		
How are leaders transparent about health of and challenges within organization?	○ Collect and share data about well-being or organization, and steps underway to address challenges.		
How to leaders include the voice of all staff in decision making?	○ Develop effective and inclusive feedback channels that are used in decision making for the organization.		The U.S. Surgeon General's Framework for Workplace Mental Health and Well-Being 2022
What are the processes that translate feedback into action?	○ Report out (anonymized) feedback and how it has been incorporated.		

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System (Sphere Three) Inventory and Strategies to Support Well-Being: This is a tool to check in and observe what efforts are under way to create effective external communication and collaboration efforts, with a sense of curiosity. It can be one tool to engage in regular structured goal-setting for the purposes of system transformation.

Check in	Potential Strategies	Notes, Reflections, Intentions or Goals in this Area	Additional Resources
External Communications about Mission and Value of Public Defense			
Is your mission stated and regularly communicated to people outside the agency?	○ Develop a clear mission statement that is widely known and frequently shared.		
Do you collect and share (with consent) data and stories about the value of indigent defense?	○ Engage in media training, to respectfully collaborate in sharing stories.		Social Media Toolkit
Systemic Advocacy			
Do you engage in policy advocacy or legislative work to reduce mass incarceration and systemic oppression within the criminal legal system?	○ Partner with legislative advocacy organizations to ensure that your specialized knowledge and ideas are included?		
Do you engage in strategic litigation?	○ Partner with others to ensure that your specialized knowledge and ideas are included?		
Do you contribute amicus briefs?	○ Partner with others to ensure that your specialized knowledge and ideas are included?		
Resource Advocacy			
Do you continually advocate for sufficient resources to address caseload and workload?	○ Capture data about the impacts of under resourcing on recruitment, retention, and representation. Communicate to funders about funding and access to justice.		
Do you make well-being as competence part of the narrative in budget/resource advocacy?	○ Capture data about well-being and the ways staff well-being impacts advocacy for clients.		
Creativity and Transformational Ideas			
Where do you look—outside of the legal system—for transformational ideas and information?	○ Engage with artists, poets, writers, musicians and people communicating in a wide range of media.		

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