Good Grief

Article One in a Two-Part Series About Loss in Law and Navigating Grief

By Robin Oaks

"Good Grief!" is the phrase coined by Charlie Brown, an endearing comic strip character who gave voice to what we all feel when facing distressing situations. Can grief—that never *feels* good—actually serve a *good* purpose? Although loss is part of living, it's rarely discussed in legal circles. Through two articles in a series exploring loss in law and life, I'll highlight the physical, emotional, and mental dimensions of grieving, and provide guidance about how to navigate through it. My hope is that we can bring grieving out of the shadows and shed some light on this natural human experience to better serve our clients, others, and ourselves.

It's important to emphasize at the outset that there is no right way to grieve. The grieving process is as varied and unique as one's personality or fingerprints. Grief arises when there's loss of a *relationship*: people, places, things, identity, and ways of being that felt familiar and valued but have been altered somehow. Grieving is a *process*. As lawyers, we not only deal with clients who are experiencing loss in many ways, but we may be grieving ourselves. These realities add to the cumulative burden of stressors and demands on our energy, body, and mind that we experience when practicing law.

In law, we think of grief happening more often in the context of wills and estates, personal injury, wrongful death, criminal law, or family law matters. But people come to us dealing with loss (or seek our help to prevent it from happening) in most every legal matter we handle. Think about a client you're currently dealing with and consider how their behavior might be reflecting feelings of loss and the stressors that they're trying to manage.

Grieving doesn't only happen when there is a death or divorce; there are many types of losses or perceptions of loss in life. It's felt when all types of life changes occur. There's *loss of*: autonomy, freedom, control, identity and livelihood, health, physical abilities and functioning, a beloved pet, a child's presence when they leave for college or join the military, hopes and dreams, money, financial security, possessions, property, home, peace of mind, trust, and safety.

Lawyers may be adversely impacted by the stressors of their job, including when working with, listening to, and caring for clients who have experienced traumas, violence, emotional and physical pain, and loss. Studies confirm that lawyers suffer from high rates of secondary trauma, vicarious trauma, burnout, compassion fatigue, and addictions. The *purpose* of the grieving *process* is to adapt to the changes in our external environment—internally adjusting through the body and mind.

Robin Oaks

Dr. Mary-Francis O'Connor is a clinical psychologist and neuroscientist who has spent over twenty years studying the brain and the grieving process. In her book, *The Grieving Brain: The Surprising Science of How We Learn from Love and Loss*, she explains that when we love someone or are attached to something, including a familiar way of experiencing reality, the bond is encoded in our brain. Loss requires updating our understanding of the world, and to do so our brain adjusts this physical coding by forming new synaptic connections. This re-wiring requires energy and time—and effort. Even genes may be expressed differently in the process. Neuroimaging has shown that the yearning feeling of loss happens in a specific part of the brain called the nucleus accumbens.

Social grieving is also a real thing. I recently read a statistic that nationwide "about one in six (17%) school-aged children live in a household with at least one immigrant family member, who could be impacted by immigration enforcement fears." In California, the percentage is nearly one in three (32%). Many feel anticipatory grief as they view through newsfeeds, or possibly experience directly, incidents of dehumanizing treatment by certain government officials targeting communities. As legal professionals, we may feel anticipatory loss—worried that the rule of law may be declining. Caring for a loved one with a terminal illness or dementia creates feelings of anticipatory grief, leading to exhaustion, burnout, and stress navigating the emotional challenges of witnessing suffering.

Grief's fabric is woven full of paradoxes. Grieving triggers a fight or flight stress response, but it's also immobilizing and fatiguing. It may manifest as emotional volatility and convulsive sobbing or show up as numbness and dissociation. It often involves obsessive thinking and analyzing,

and it's also extremely physical. Feelings of sadness, despair, fear, frustration, anger, shame, guilt, blame, loneliness, and helplessness all arise side-by-side with those of relief, spiritual communion, self-awareness, meaning and purpose, peace, gratitude, awe, and love.

Several years ago, I found myself with my dog suddenly boarding a plane to fly 3000 miles and live with my mother after she had a heart attack. I made the choice to care for her, but was uprooted from what was familiar, my social support and regular work life. I experienced daily feelings of overwhelm and loss—and *fear* of loss. My mother was also grieving the life she once knew, as her body and mind dramatically changed. A year later, after getting her back on her feet and happily moving forward with a new normal, I returned to my home in California.

Within six months after my return, my mother had another heart attack and died suddenly. Three weeks later, my dog passed away unexpectedly while in my arms. Soon after, my relationship of thirty-years with my partner/best friend abruptly ended. Then, both my sister and brother each received a cancer diagnosis that caused shock waves rippling through the family. My grieving journey through exhaustion, excruciating feelings, disorientation, and sorrow led me to unexpected depths of compassion, gratitude, growth, understanding and wisdom – and deeper meaning.

C.S. Lewis married late in life and when his wife died four years after they met, he chronicled his grieving process in the book, *A Grief Observed*. I've included quotes from this book throughout to illustrate the multi-faceted nature of grieving. I interviewed a number of people for this article, including a few lawyers and healthcare workers. Everyone mentioned experiencing all types of loss and were emotionally, physically, and mentally affected. Several noted symptoms of grieving when dealing with their family law, property law, or criminal law matters. At the end of this article, I've listed some tips for supporting legal clients experiencing loss.

Thinking and Cognitive Effects

Neurobiological and hormonal changes in the brain and body during the grieving process often impact one's ability to focus, think, decide, remember, and sleep. C.S. Lewis wrote about grief contributing to ruminating: "Part of every misery is, so to speak, the misery's shadow or reflection: the fact that you don't merely suffer but have to keep on *thinking* about the fact that you suffer. I not only live each endless day in grief—but live each day thinking about living each day in grief."

David Kessler, a well-known grief expert, and author of *Finding Meaning: The Sixth Stage of Grief,* emphasizes that grieving involves cognitive and emotional processing that is unpredictable and multi-dimensional. "You don't get over the loss...you *learn* to live with it." "We often think we should give advice to people in grief. Tell them what to do. How to feel. But the truth is, people in grief can be our teachers. What they really need is our presence." "Denial helps to pace pain." Anger and blame are "pain's bodyguard." "Our mind would rather feel guilty than helpless." Obsessive thinking happens as we "move what's in the heart to the mind," trying to figure out past events beyond our control—or adjust to ideas of future no longer possible.

How many of us heard in childhood or even as adults the following words telling us what we *should think* and how to be when grieving? "You shouldn't feel bad—everything happens for a reason." "Don't be sad, we'll buy another pet; we'll replace what you formerly had...." "Be strong for others, hold yourself together—don't cry." "Just keep busy. You'll get over this. Just don't think about it." "It's not good to wallow in sadness or to pity yourself. It's time to move on."

Interactions and Social Effects

When grieving, we may withdraw from others or dissociate from ourselves. Choosing who to connect with for sharing is important because witnessing can only happen if someone understands and accepts our individual way of grieving. Other people's persistent questioning can feel overwhelming—even like being ambushed or trapped. Thinking becomes difficult and draining. Someone expressing condolences may have unprocessed grief and old wounds that get triggered, causing them to launch into lengthy accounts about *their* past losses. This can create emotional overload for everyone involved. If your verbal communications with someone grieving get lengthy, try to pause and "*WAIT*," which stands for asking yourself: "*Why* am I talking?"

Some people are afraid to be around grievers because they fear anything they say or do will be wrong. Practicing mindfulness and sometimes just being there—witnessing what's happening in the present moment, demonstrates care better than waiting to say the *perfect* words or trying to rescue a griever from their pain. Presence helps pain get processed.

Many suffer in silence the sorrow of loss. They fear they'll burden others with their sadness, or comparing their loss to others, they question who deserves to grieve more or longer. There's no set deadline for the grieving process. That's what makes it feel so overwhelming and lonely. C.S. Lewis said, "I see people, as they approach me, trying to make up their minds whether they'll say something about it or not.

I hate if they do—and if they don't." "I find it hard to take in what anyone says. Or perhaps, hard to want to take it in. It is so uninteresting. Yet I want the others to be about me. I dread the moments when the house is empty. If only they would talk to one another and not to me."

Unpredictability, Emotional and Physical Effects

Grievers often talk about the roller coaster ride of feelings that occur. Even those who appear to be "practical grievers," who don't talk about feelings and otherwise appear to move on with "normal" living, may show changes in behavior, mood, energy, or levels of busyness. Grieving is physically exhausting and disturbs body functioning. Digestion may feel upset, and one's appetite may diminish or be all-consuming. Tightness in the gut, chest, stomach, and back often are ways of trying to control surfacing emotions. Grieving is an ebb and flow process of pacing. Bracing relentlessly and chronic holding can limit breathing, blood flow, and energy—even change the gut microbiome in unhealthy ways, causing more imbalance or illness.

C.S. Lewis explains, "Grief is like a long valley, a winding valley where any bend may reveal a totally new landscape." "No one ever told me that grief felt so like fear. I am not afraid, but the sensation is like being afraid. The same fluttering in the stomach, the same restlessness, the yawning. I keep on swallowing. At other times it feels like being mildly drunk, or concussed. There is a sort of invisible blanket between the world and me."

While writing this article, I'm reminded of what C.S. Lewis said about trying to capture in words grief's essence. "Aren't all these notes the senseless writing of a man [or woman] who won't accept the fact that there's nothing we can do with suffering except to suffer it?" The following are a few means by which to move through the grieving process that modern science and ancient wisdom healing traditions provide as guidance.

Movement, Music, and Exercise

A large part of the brain's functioning relates to using our muscles to adapt to and move through our external environment. This may be why exercise, qi-gong, yoga, dance, bodywork, and movement practices help us adjust to change, release tension, unblock energy stagnation, and build new neural connections. Dance facilitates a state of flow that's timeless and present focused. This helps stuck thinking patterns let go.

Music acts as a container for moving intense emotions because it has a beginning, middle and end, which increases calm and decreases overwhelm. Certain music holds memories that elicit positive emotions and feelings of connection

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Do's and Don'ts for Navigating Grief

The following are suggestions when interacting with clients who may be experiencing loss.

Do expect short attention spans and distractibility. When emotions are raw or arise unexpectedly, thinking often goes off-line. Slow down your talking (don't use a monotone or loud voice). Tune in so *you* can stay calm and be aware. This helps provide cues of safety and nervous system co-regulation.

Don't ignore clients' calls or questions—whenever possible. When clients are dealing with a legal matter and also experiencing loss, it often feels like a foreign, unsafe, new territory they are forced to navigate. Studies have shown that it's not necessarily 24/7 availability that clients need, as much as consistency, supportive connection, feeling seen and heard, and clarity.

Do consider sharing with a client a calming breathwork practice. Mention that it helps emotional self-regulation for better focus and memory. This also demonstrates that you understand how loss impacts the mind, emotions, and body.

Don't think you truly know what someone is feeling, thinking, or understanding. Ask often, "How can I help you *now*?" "Do you need me to clarify or repeat anything?" Pause frequently – listen more. Take care of yourself and recognize what *you* need, too.

Do consider meeting in a natural setting for a walk-and-talk instead of sitting stationery in an enclosed office. Movement helps memory-building, processing, and staying present.

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to loved ones and past events. Music connects us to deeper meaning for living and our relationship to it. Music provides a powerful catalyst for healing. It supports neuroplasticity and adapting to change because it's processed through many areas of the brain. Slow, melodic music lowers blood pressure and balances the nervous system. Drumbeats and certain sounds create embodied coherence. Rhythms resonate with human heartbeats and reflect physiological states that create feelings of safety and "coming home." In one study, over ninety percent of bereaved adults benefited from listening to music, singing, humming, or playing musical instruments.

Connections with Others, Nature, and to Self

Mindfulness practices and journaling (even apps designed to aid self-reflection) can help dispute and disrupt distorted thinking patterns and provide perspective. Therapists, coaches, and mind-bodywork professionals assist in adaptation and healing. They provide a grounded, caring, consistent connection that creates a release valve for tension, thinking, and feelings.

Many studies confirm that natural environments help nervous system balancing, decrease rumination, and increase positive feelings. Even listening to bird songs makes us experience calm. Birds sing when they aren't sensing threats and we resonate with these safety cues. Being in natural settings, looking at nature images, and listening to nature sounds lower stress marker levels and promote deeper restorative sleep. Grief needs to be witnessed and shared. Adaptation, meaning, and growth are facilitated through feeling a *part of* and *connected to* life.

In the second article of this two-part series, I'll share guidance from a hospice bereavement counselor who uses art therapy to assist when grieving and explore more about navigating loss in law and life.

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