

## Trauma-Informed Lawyering in the Age of COVID-19 Expertise in the Room Evidenced in Chat

**You are not alone; advocates/attorneys serving crime victims are facing common challenges during COVID-19. Here are a few we identified together.**

- *Relationships*
  - Creating, building and maintaining rapport and strong relationships via technology
  - Creating safe, open, trauma-informed communications and interviewing via technology
  - “Being there” for clients without being physically there
  - Helping clients trust “a voice” vs. a “real” person
  - Supporting clients through a virtual medium
- *Logistics*
  - Working with interpreters through technology
  - Helping clients create safe spaces to talk on the telephone or through technology
  - Maintaining confidentiality over technology
- *Lawyering skills*
  - Enhancing own ability to know if a client is struggling when cannot meet in-person
  - Supporting clients, staying engaged, and helping client feel that they have undivided attention when client has a lot happening in background and/or service provider has a lot happening in background
- *Court*
  - Preparing clients to face offenders via in court – when that “court” may be via technology and faces and sound may be amplified
  - Helping clients learn to best present themselves via technology to a judge
  - Helping clients access technology to align with court’s approach to hearings

**Knowing these are common hurdles ways we identified to map to safety included**

- *Revisiting ways we mapped to safety pre-COVID, including*
  - Engaging eye contact (when culturally appropriate)
  - Offer a drink, tissue, comfortable seat
  - Chatting about weather, commute, day, family, etc. before “business”
  - Smiling
  - Adjusting seating based on their choice
  - Ensuring open body language
- *Identifying which we can continue to do; what we need to modify and any new ideas for technology/distance, including*
  - Continuing to
    - check in to determine if it is a good time to talk
    - ask whether they are in a safe/comfortable space
    - ask if they want to have a glass of water with them
    - ask how they are doing before any other conversation
    - ask what topic they want to start with
  - Spending time asking clients their preferred mode of connection
  - Allowing more time for general conversation before and after “business”
  - Asking about privacy and safety

- Being transparent about technology challenges before something arises (e.g., “I am calling from (e.g., home office) and X might happen.”)
- Using video when available, safe and client approved instead of only telephone so there is some visual component
- Spending time paying attention to what is in the background of any video to ensure that too creates a safe space
- Making “eye contact” with the camera
- Using a legal pad to take notes to help with “eye contact” make explicit transitions from "chit chat" to "ok serious stuff now"
- Informing client in advance how “meeting” will happen (e.g., calling from blocked call; zoom meeting you will/will not already be on video)

### **Specific Tips for Service Provision in Light of Technology**

- Make “eye contact” by looking at the camera not a client’s image on the computer and take the time to place the camera to allow this to be natural
- If you are using two screens explain in advance why you might look away to a second screen
- Look at what is the background of your own camera and adjust to ensure it maps to safety (and coach your client on the same)
- Consider clothing options for self and client when meeting just together and then for court
- Mirror client in terms of communication preferences from technology choice to time spent
- Spend more time providing a roadmap of conversation, case, etc.
- Have toolkit of grounding techniques that can work over technology and practice with client
- Have intention around tone modulation, facial expression and “soft eyes” as per Dr. Wilson since there are fewer cues than in person

### **Grounding Ideas Via Technology Whether for Client Meeting or Court**

- Talk to client *in advance* about what makes them feel calmer/feel better and that they have access to wherever they will be; then build off of that
- Once you have identified what might work practice using the techniques with a client *before* need them; practice can include creating the code words/mantra that you or they will use
- Don’t wait to have to deploy these – build in breaks/ask for recesses
- Ask client to
  - have cold water or something to drink available during meetings/court
  - have a clock nearby that ticks
  - have a squish ball, marble, playdough, or other tangible toy nearby
  - identify 5 things see, hear, smell and count them aloud
  - take deep breaths with you
  - have a notepad for doodling nearby
  - if they want to take a break
  - check in at court hearing breaks