

Trauma-Informed Legal Advocacy: Practice Scenarios Series

The Trauma-Informed Legal Advocacy (TILA) Project is designed to offer guidance to legal advocates and lawyers on applying trauma-informed principles to doing legal advocacy with survivors of domestic violence.

This document is part of a series: *Trauma-Informed Legal Advocacy (TILA): Practice Scenarios Series*.¹ Within each scenario in this series, we practice a two-step analysis of (1) what is happening from the perspective of the person we are working with, and (2) what strategies we can try to best support or represent them.

Scenario: Frustration & Anger (Reflective Practice Techniques)

The person you are working with is frustrated and angry. You feel like they are demanding and that they blame you for not doing enough to help them. You notice that it's hard to gather the energy to support them.

Step 1. What's happening from their perspective—and what gets in the way for us?

There are many reasons why someone may be showing frustration and anger. You may be offering the first place where they can safely show frustration and anger. Their partner may not have allowed them to show frustration and anger at home. You may also be offering the first place where someone's feelings are met with interest and care.

But even if we know this, we may feel an urge to defend ourselves. We might think about how hard we are working and feel unappreciated. We may find ourselves thinking about how "demanding" and "difficult" that person is to work with. We may feel that they are blaming us and in turn we may want to blame them when things are not going well in their case. When we blame someone, it's hard to find the energy to support them. And without our help it may be less likely that they will be successful in their case.

¹ The *TILA: Practice Scenarios Series* was created by Rachel White-Domain, JD, NCDVTMH. Find more TILA resources on our the NCDVTMH website:
<http://www.nationalcenterdvtraumamh.org/trainingta/trauma-informed-legal-advocacy-tila-project/>

Over time, we may feel this way about more and more of the people who we are working with. This may be one sign that we are experiencing some of the challenges of doing empathic work, such as the following:²

1. **Burnout**, including exhaustion, cynicism, and ineffectiveness
2. **Counter-transference**, which refers to the feelings, thoughts, and physical responses that we might have in response to a person we are working with, *and* our defenses and responses to the uncomfortable feelings brought up by that person
3. **Secondary trauma (sometimes called vicarious trauma)**, which refers to the effects of working empathically with and feeling responsibility toward people who have survived the trauma of abuse, violation, and discrimination

Like other professionals who work with survivors of domestic violence, attorneys and legal advocates can be affected by these challenges while during legal work. For example, in one study, public defenders' self-reports of the number of clients they worked with who had experienced trauma were associated with self-reports by the same attorneys of symptoms of PTSD, depression, and functional impairment (negative impact on their ability to enjoy social and family life, etc.).³

Step 2. What might help?

Using a reflective practice approach can help us to maintain ourselves in our work, both within the context of individual cases and over time. Having a reflective practice means regularly engaging in reflection, both in the context of individual interactions and after big successes or losses. Depending on the environment you work in, it can help to team up with one or more of your co-workers on a regular basis to engage in reflective practice. It's important that you share the same goals of being able to build more compassion for the people you are working with, as well as to learn lessons from your successes and losses so that you can improve your work over time.

² This material is taken from various materials by Carole Warshaw, MD, Director, and Terri Pease, PhD, Senior Training Consultant, at NCDVTMH (citing Saakvitne et al 2000).

³ Levin, Besser, Albert, Smith & Neria, *The Effect of Attorneys' Work with Trauma Exposed Clients on PTSD Symptoms, Depression, and Functional Impairment: A Cross-Lagged Longitudinal Study*, Law and Human Behavior (2012). Attorneys did not specify whether clients were victims or perpetrators of traumatic incidents, or both.

Whether you are meeting with a co-worker or working by yourself, set specific goals for what you want to accomplish. The following steps might be helpful in being reflective on your work with individuals:

1. What might be getting in the way of your ability to work with someone? In answering this question, the following tool might be helpful.⁴

Has working with them made it harder for you to...?

- Feel like you are doing a good job at work
- Feel competent at your job
- Get things done, feel productive
- Stay positive
- Stay calm, manage your emotions
- Feel safe
- Trust them, or trust others
- Other: _____

2. Given this, what are some short-term goals you can set for your work with this person? For example, is there something you want to try and keep in mind as you work with them? Do you want to try and get something done in their case that you've been putting off? Is there additional assistance you could find for them that you haven't thought of before?

3. Is there anything that you can continue doing or start doing to make it easier for you to meet your short- and long-term goals? Examples:

- Set boundaries around phone calls
- Work on the case during a specific time each week
- Ask a co-worker to remind you of the ways that you are doing a good job in this case
- Use calming or grounding techniques yourself during phone calls (e.g., coloring with crayons)
- Ask for additional guidance, support, or supervision
- Write down things you want to remember when you talk with someone, such as not taking things personally, that you are doing a good job, etc.

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⁴ Adapted from Saakvitne, Gamble, Pearlman & Tabor Lev (2000), *Risking Connection*, Sidran Press, by Susan Blumenfeld, LCSW, NCDVTMH.