ENGAGING YOUR CLIENT

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ONE OF THE MOST DIFFICULT PARTS OF PARENT DEFENSE
ASPECTS OF CLIENT ENGAGEMENT

• Establishing client’s trust
• Defining client’s goals
• Defining scope of representation
• Meeting your client where he/she is regarding substance abuse, mental health, domestic violence, and/or poverty issues
• Managing your client’s expectations
• Engaging your client for behavioral awareness and change
• Client contact between hearings
ESTABLISHING CLIENT TRUST

• Trauma
• Culture
• Value
LET’S TALK ABOUT TRAUMA

• An emotional response to a terrible event

• Immediate reactions: shock, denial

• Long-term reactions: unpredictable emotions, flashbacks, irrational behavior, physical manifestations
KINDS OF TRAUMA

• ACUTE TRAUMA – experience tied to a particular event, place, or time
  • Accident
  • Act of violence
  • Natural disaster
  • Death of a loved one
  • Physical or sexual assault
• **CHRONIC/COMPLEX TRAUMA** – a build-up of multiple traumatic experiences throughout life
  • Reoccurring physical or sexual abuse
  • Long-term neglect
  • Combat experience
  • New traumatic experience brings back old feelings and issues associated with past trauma
# Trauma as a Mathematical Equation

## Table

<table>
<thead>
<tr>
<th>Terrible Event</th>
<th>Emotion (How I Feel)</th>
<th>Behavior (What I Do)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beating</td>
<td>+ Scared</td>
<td>= Aggression</td>
</tr>
<tr>
<td>Abandonment</td>
<td>+ Hungry</td>
<td>= Manipulation</td>
</tr>
<tr>
<td>Neglect</td>
<td>+ Unimportant</td>
<td>= Risky behaviors</td>
</tr>
<tr>
<td>Emotional abuse</td>
<td>+ Worthless</td>
<td>= Rage</td>
</tr>
</tbody>
</table>
WHY MUST WE UNDERSTAND TRAUMA?

• As attorneys for parents, we must understand that repetitive and significant encounters with trauma have real consequences for a client’s physical, social, and emotional wellbeing.

• Understanding the pervasiveness of trauma helps us to be more less judgmental and more empathetic in our interactions with our clients.
TRAUMA-INFORMED ADVOCACY

• Recognizes the pervasiveness of trauma

• Incorporates an understanding of trauma’s impact has on our clients

• Minimizes re-traumatization

• Supports healing and resilience
CULTURE

• The sum of attitudes, customs, and beliefs that distinguishes one group of people from another

• Includes:
  • Acculturation as a professional
  • Norms of the family and community
  • Beliefs of the family and community
  • Value system of the family and community

(Community can be defined by ethnicity, gender, nationality, race, etc.)
CULTURAL AWARENESS IS...

• “…a set of congruent behaviors, attitudes, and policies in a system, agency, or among professionals that enables the system, agency, or those professionals to work effectively in cross-cultural situations.”

CULTURAL AWARENESS IN REPRESENTATION

• Increases trust
• Improves communication
• Increases accuracy of information shared
• Increases understanding between client and attorney
• Improves outcomes
THINK ABOUT THE VALUE OF A PERSON

• I am...
  • Mother
  • Wife
  • Attorney
  • Judge
“I AM GOOD AT ALL OF THESE THINGS.”
“NO YOU’RE NOT!”
THIS IS WHERE WE FIND OUR CLIENTS.

I am the subject of a legal proceeding.
I may lose legal rights that are so important that they are Constitutionally protected.
My entire identity is being questioned.
My worth is being publicly challenged.
I am the subject of judgment, scrutiny, and scorn.
I am inept, incapable, and undeserving.
HOW TO BUILD CLIENT TRUST

• Distinguish your role
• Assure confidentiality
• Be reasonably accessible
• Be honest
• Avoid traumatic triggers
• Ask easy questions
• Explain the hard questions you have to ask
DEFINING CLIENT’S GOALS

• Goals for self
• Goals for children
• How can we work together to make these things happen ASAP?
DEFINING SCOPE OF REPRESENTATION

• CHIPS phase
  • Adjudication
  • Disposition
  • Judicial Reviews
  • Planning ahead

• Permanency phase
  • Making a good record

• Appellate phase
  • Preserving the right to appeal
“The most important quality counsel can bring to the first meeting with the client who has experienced [the removal of a child] is empathy. What the client needs above all else at this moment in her life is a respectful professional who avoids all prejudgment and shows proper respect for the parent by listening carefully to what she has to say and demonstrating a commitment to work on her behalf going forward.”

– Matthew Fraidin, Chapter 3, Representing Parents in Child Welfare Cases.
MANAGING CLIENT EXPECTATIONS

• Define and divide the workload
• Break large tasks down into small steps
• Checklist approach
• Explain the purpose and goal of each court hearing
ENGAGING YOUR CLIENT FOR BEHAVIORAL AWARENESS AND CHANGE

• Case plan goals are measured by indicators of client’s growing self-awareness and ability to change unsafe behavior

• County and court want client to experience real changes – not just go through the motions of case plan to complete a task

• Real change in behavior or awareness is sometimes hard to measure or see

• Engaging client in reflection about what they have / are learning through process may be helpful

• Create a record of meaningful changes
CLIENT CONTACT OUTSIDE OF COURT

• The phone works both ways
• Confirm phone number and address at every meeting
• Get back-up phone numbers and addresses
• Who knows how to find you?
• Send letters
• Assign a call time
PREPARING YOUR CLIENT FOR THE CASE PLAN MEETING

• What is likely to be in the case plan?
• What NEEDS to be in the case plan
• What kind of help does your client need from CSS?
• Write it down!
PREPARING YOUR CLIENT FOR COURT

• Punctuality
• Attire
• Demeanor (posture, facial expressions)
• Communication in the courtroom
• Emotionality
• Interaction with children
TALKING WITH YOUR CLIENT IMMEDIATELY AFTER COURT

• Praise
• Do you understand what just happened?
• Next steps
• Confirm contact information
• Send a letter if necessary
Questions?