

## 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*.<sup>1</sup> 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: Legal Interviewing & Traumatic Triggers

You are having a hard time connecting with someone who you are working with. Maybe they seem distracted, anxious and agitated, or just shut down.

#### **Step 1. What happened from their perspective?**

A person may be feeling distracted, anxious and agitated, or shut down for many reasons. From a trauma-informed perspective, traumatic triggers are one factor that may explain why you are having trouble connecting. A *trigger* is something that evokes a memory of past traumatizing events, including the feelings and sensations associated with those experiences. Encountering triggers may cause someone to feel uneasy or afraid, although they may not always realize why they feel that way. A trigger can make someone feel as if they are reliving a traumatic experience and can elicit a fight, flight or freeze response. Many things can be a possible trigger for someone. A person might be triggered by a particular color of clothing, by the smell of a certain food, or the time of year. Internal sensations, such as rapid heartbeat, nausea, or tightened muscles, can be triggers as well.<sup>2</sup>

A person who is being triggered by something may become anxious and agitated. They might feel nauseous or have other physical reactions. They may not know why

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<sup>1</sup> 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/>

<sup>2</sup> This paragraph is taken from NCDVTMH's Special Collection: Trauma-Informed Domestic Violence Services: Understanding the Framework and Approach (Part 1 of 3), available at [www.VAWnet.org](http://www.VAWnet.org).

they are feeling or reacting that way. They may also appear bored or uninterested, talk about things in a flat or unemotional way, have a blank stare and spacey look, or appear to be shut down or checked out. Their answers to questions may be slow and incomplete. This may reflect a dissociative response. See Scenario 1 for more information about dissociation.

## Step 2. What might help?

There are many things that you can do to limit the number of things in your environment that are common triggers for survivors of trauma, and to make your interactions with someone more trauma informed as well.

1. *Offer options in the physical space.* As best as possible, provide options to the person you are working with in order to avoid situations that might be triggering. For example, you might be able to provide options on where you will meet; which chair they can use; and whether a door is closed, open, or slightly ajar. If you have an office, consider whether you can make slight adjustments to accommodate multiple seating options.

*"Which chair would be most comfortable for you?"*

*"Would you prefer the door closed or slightly open?"*

At the same time, be aware that sometimes options can be overwhelming to someone who is not used to being given many choices.

2. *Facilitate self-soothing.* Experiencing trauma can disrupt a person's ability to manage emotions and self-soothe when they are starting to feel upset. All of us do many things to self-soothe (even if we don't call it that), such as listening to music, going for a walk, or snuggling with a dog or cat. In the context of a legal meeting, your options are more limited, but there are still many things that you can do. Doodling or coloring with crayons, fidgeting with toys or other objects, wrapping up in a blanket, looking at calming pictures, and drinking water are all things that can help someone to negotiate their distance from hard material, manage their emotions, and stay present. Consider whether you can provide physical things in your meeting space that will facilitate someone's ability to self-soothe. This may include having pens, crayons, paper, and small toys on the table in the space where you are meeting, offering water, and hanging pictures in places where someone can easily focus if they need to briefly take a little more distance from what's going on.

3. *Explain things in advance.* For people who have experienced trauma, it can often be helpful to know in advance what is going to happen. This includes telling someone how much time you have to meet, which can also help with building trust. It can also mean telling someone what kinds of things you will need to ask them about during your meeting.

*"We have about 45 minutes to talk today. I'd like to hear you talk about your relationship with your partner and then I'd like to ask you some questions. You can ask me questions at anytime. At the end of the meeting, I'd like to make some copies of the materials you brought."*

4. *Offer breaks.* Taking breaks can provide someone with the space they need to stay present during a meeting or interview. Offer breaks not only at the beginning of the meeting but also periodically throughout.

*"How are you doing so far? Would you like to take a break or would you like to keep going?"*

5. *Be thoughtful about note taking.* For people who have been involved in criminal legal systems or in social service agencies that don't practice trauma-informed care, having someone take notes about them may have been one part of a very dehumanizing experience. Being open about our note taking, such as by asking permission to take notes, summarizing the notes that we have taken, or using open body language when taking notes can keep this experience from feeling objectifying. Also, don't allow note taking to take you away from being present with someone. Consider how much time you spend with a pen or pencil in your hand. Whenever possible, try to increase the time you spend with the pen or pencil down, just listening.

There are also things that you can do if someone is being triggered.

1. *Notice and validate their feelings.* Noticing and validating someone's feelings can help them become aware of what's happening with them, if they are not already. It can also let someone know that you care about their emotional safety. This matters in part because it contradicts what happens in many traumatic incidents, where a person's feelings of anxiety and fear are often ignored and dismissed, or where showing these feelings may be met with increased violence. Noticing and validating means sitting with someone as they move at their own pace through their feelings.

*"That sounds really scary/hurtful."*

*"It really means a lot that you are sharing this with me, even though it makes you sad to talk about it."*

2. *Ask what would help.* When making suggestions, offer several options whenever possible, rather than just asking “yes-no questions.” Asking someone how you can help when they seem triggered also reflects that you are approaching the relationship as a partnership of equal respect.

*“Let me know if I can get you a glass of water, or we can just sit together for a moment.”*

*“Would it help to have a moment to yourself or visit with your friend in the waiting room, or maybe something else?”*

3. *Use open body language.* If someone is very upset and agitated, using open body language can help to let them know that you do not pose a threat. This includes keeping your shoulders relaxed, keeping your body posture and hands open and relaxed, and avoiding blocking them from being able to exit or walk away.
4. *Help them to get grounded in the present.* If someone seems to be having a dissociative response, you can say things to help them feel safe and ground themselves in the present. Easy ways to ground someone in the present include helping them notice their breath, their physical presence in the environment, or physical things in the environment. For different people, different senses (sight, sound, smell) may be more grounding than others. (If you know grounding might come up for someone, you can ask in advance.) Remember, dissociative responses come up when cues in the environment tell someone that it is not safe. Therefore, it’s also important to be attentive to emotional safety while supporting someone in grounding themselves.

*“I noticed that you are wearing really nice shoes. Are they comfortable?”*

*“You know we can sit here on this bench for as long as we need to. We are okay right now, you and me. We can just take our time, no one is going to bother us here.”*

*“Is it hard for you to focus on these questions? When that happens, some people say it helps them to just take a minute to notice yourself breathing in and out.”*

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