



**Mount Mary**  
UNIVERSITY

## *Trauma Informed Legal Advocacy*

**LOTUS**

Legal Options for Trafficked

*monacowr@mtmary.edu*



and Underserved Survivors

*www.mtmary.edu/LOTUS*

# LOTUS CLINIC

Began in August of 2013, with six victims of federally prosecuted (and convicted) traffickers with legal needs.

housing

employment

family law

municipal fines

# MISSION

*“LOTUS stands for Legal Options for Trafficked and Underserved Survivors. Our mission is to provide comprehensive assistance to victims of crime, whether it be protecting constitutional rights of victims, or assisting with other legal or advocacy matters.”*

# LOTUS at Work

To date:

72 cases

Privacy, LGBT, trafficking (labor and sex), immigration, domestic violence.

- Restitution Project with MULS
- Expungment for Trafficking Victims with LAW

Success Stories

A new chance at life for a trafficking victim

# LOTUS at Work

Victim's Rights Training with National Experts

Need for volunteers of diverse backgrounds

Alliance building

Other clinics

Court system relationships

# Trauma-informed Approach

A trauma-informed approach is one that

- recognizes the pervasiveness of trauma
- incorporates an understanding of its impact on individuals and communities
- minimizes retraumatization
- supports healing and resiliency
- addresses the root causes of violence
- is self-reflective and relational (the relationship as the foundation of healing and justice work) and
- takes a contextualized approach to understanding and responding to trauma.



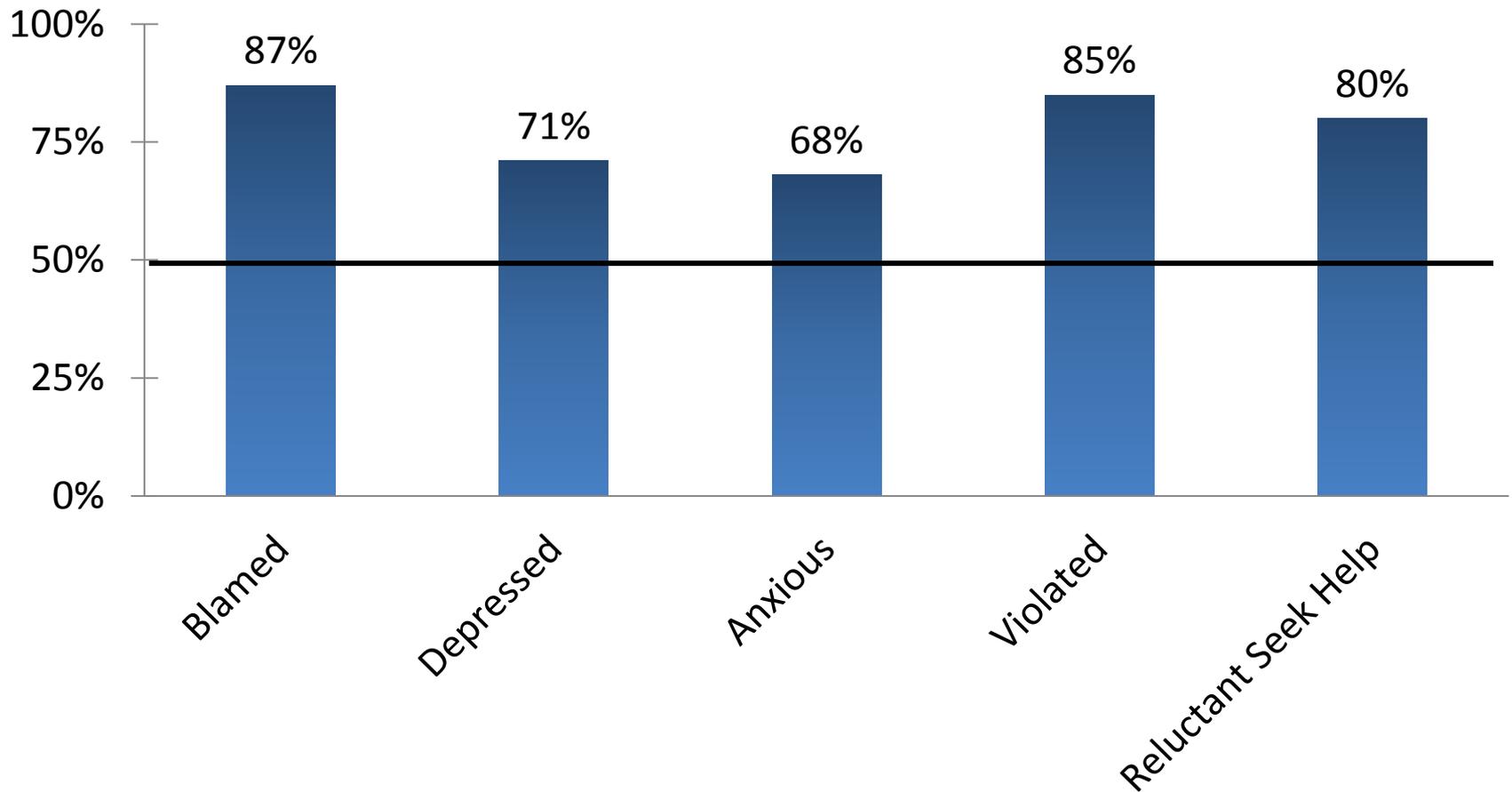
“The stuff they say makes no sense.  
So no, I don’t always believe them,  
and yeah, I let them know that.

Then they say, ‘never mind, I don’t  
want to do this.’ Ok, fine.

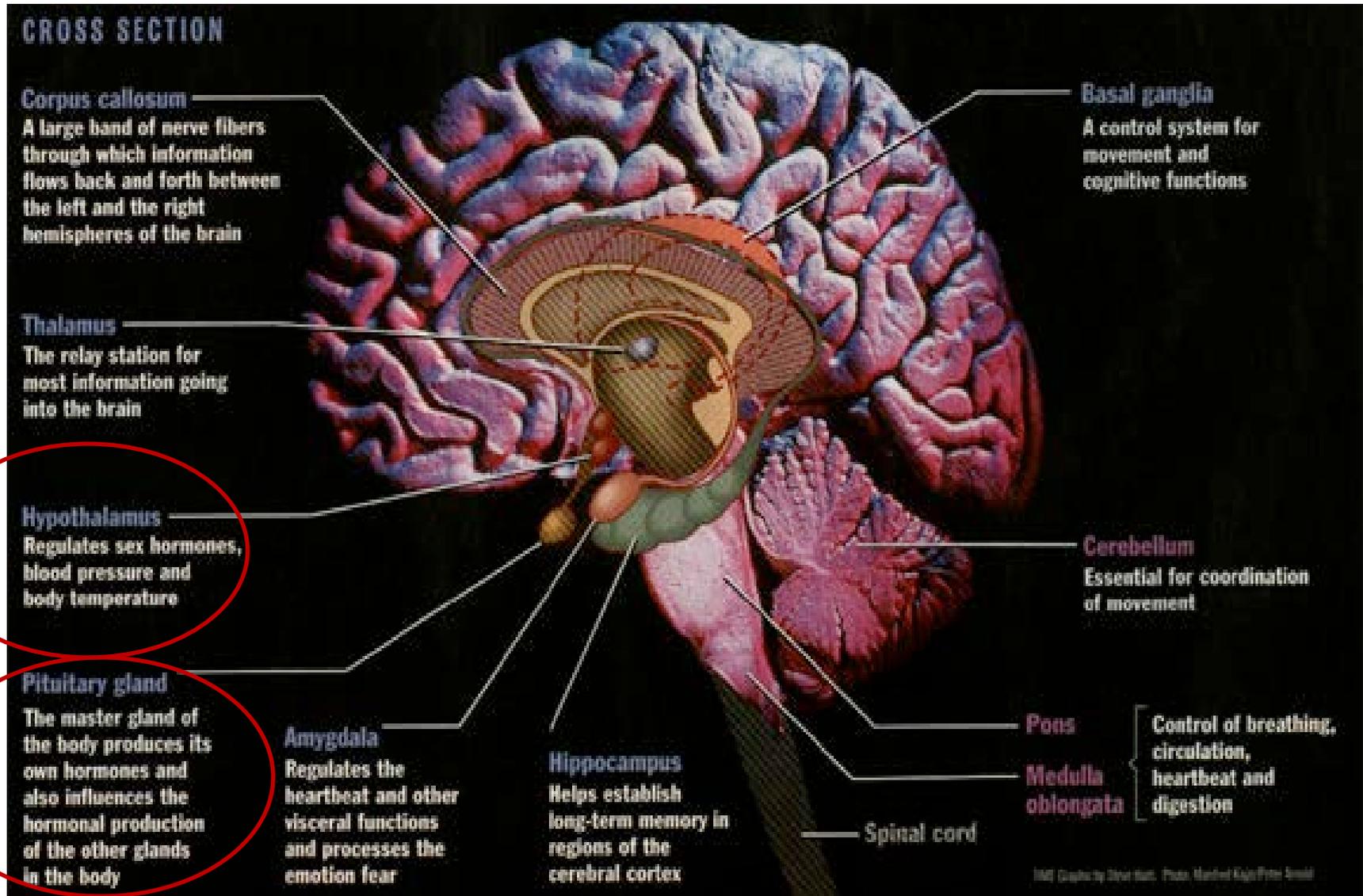
Complainant Refused to Prosecute.  
Case closed.”

Sex Crimes Unit Detective, 15 Years Experience

# Psychological Impact of legal interactions on Victims



# Brain Regions Impacted by Trauma



# Memory Processes Impacted by Trauma

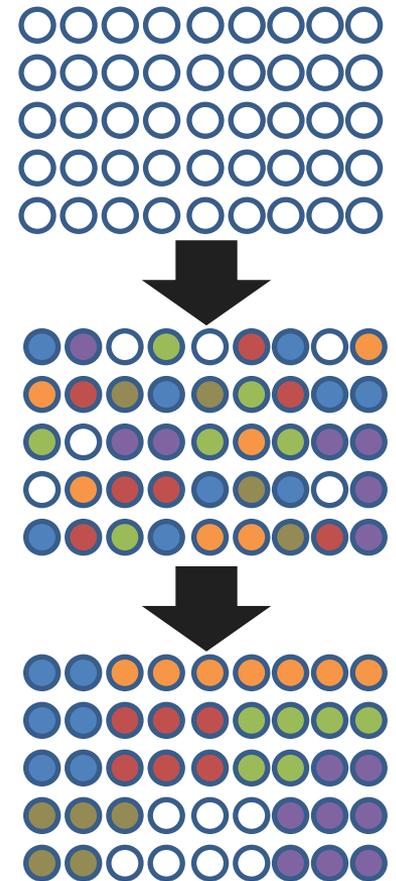
**Hippocampus** processes information into memories

Encoding = Organizing sensory information

Consolidation = Grouping information into memories and storing them

**Amygdala** specializes in the processing of emotional memories (works with the hippocampus)

**Both structures are VERY sensitive to hormonal fluctuations**



**NEUROBIOLOGICAL  
REASONS**

“Victim Doesn’t  
Make Sense”

Police/prosecutor/attorneys  
Close Case and/or  
Victim Refuses to Pursue

Legal Responders  
Don’t Believe Victim

**CASE  
ATTRITION**

Victim Engagement  
Decreases

Secondary  
Victimization from the  
System

# Helping Lawyers Help Victims?

The cycle of attrition and secondary trauma pervade BOTH the criminal and civil system.

As a result,

Victim's lives become messier and messier.

When legal interventions occur, what approaches work best?

# Helping Lawyers Help Victims?

Talk or Text?

Type of  
communication

Build  
Partner  
Relationship

Where we meet?

Loose  
Timelines

Goal  
revisoning

Open  
door  
policy

Celebrate  
small steps

What matters to me now?

# Helping Lawyers Help Victims?

Normalize what the victim experiences.

- Neurobiological changes can lead to flat affect or “strange” emotions or emotional swings

# The story will come together; let it unfold

- Neurobiological changes can make memory consolidation and recall difficult
  - Story may come out fragmented or “sketchy”
  - Misinterpreted as evasiveness or lying
  - The content of the memory is accurate, just may take some time and patience for it to come together

# Ways to say it

Building trust with limited resources (time!)

“I’m really glad you called. I have about five minutes to talk right now. If we need more time, we can schedule another call.”

“This meeting was really helpful to me, and I want to remind you that I will keep everything that you’ve said completely confidential. If it’s okay with you, I’d like to come back to some of these topics later.”

# Ways to say it

Be prepared for triggered states, roll with it.  
Give options, not Yes/No

“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?”

# Ways to say it

## Body and environment

Put your pen down.

Blankets, tea, coffee and candy, room setup

Options, offers, checking in

# Training and Leading Volunteers

## Encourage a multi-disciplinary team

- Detailed, personal volunteer interviews
- Staffing/case calls with all team members
- Joint training sessions, (JD and Other Fields)
- Work on rounded skill sets and filling “gaps”  
i.e. victim’s rights.

# Sources

- Campbell, Rebecca, Ph.D., Michigan State University, Research for the Real World; the Neurobiology of Sexual Assault, presented for DOJ, 2014
- White-Domain, JD, Rachel. National Center on Domestic Violence, Trauma & Mental Health (NCDVTMH). 1 The term trauma-informed was originally coined by Maxine Harris and Roger Fallot in 2011.
- National Crime Victim's Law Institute, (NCVLI)
- Trauma-Informed Legal Advocacy Project, National Center on Domestic Violence, Trauma and Mental Health, available at <http://www.nationalcenterdvtraumamh.org/trainingta/trauma-informed-legal-advocacy-tila-project/>

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**THANK YOU!**

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