Birth Parents with Domestic Violence Histories: Best Practices for Effective Advocacy

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Objectives

Participants will be able to:

• Explain and employ the central components of trauma-informed legal representation

• Analyze the effects of trauma and domestic violence on parenting

• Utilize strategies for supporting parents with trauma and domestic violence histories, and their children, during the course of representation and in the courtroom

• Identify and mitigate the impact of secondary traumatic stress
Core Training Messages

Self Care
- Caring for ourselves while caring for others.

Resilience
- All people are resilient and have the ability to heal following trauma.

Coping & Strength
- Problematic reactions to trauma can be coping resources that helped individuals survive.

Support
- Support and supervision are critical for those who help others.
The Push-Pull of Trauma Informed Practice

Negative Outcomes

Resilience

Strength
Mechanisms by which Adverse Childhood Experiences Influence Health and Well-being Throughout the Lifespan

How ACES Cross Generations

Generation 1
- Child Abuse
- Aggression Conduct Problems
- Depression PTSD Anxiety
- School Problems

Child
- Revictimization
- Depression PTSD Anxiety
- School Dropout
- Substance Abuse

Adolescent

Generation 2
- Parenting Problems
- Domestic Violence
- Maternal Depression PTSD
- Poverty
- Substance Abuse

Adult
- Child Abuse
What is Trauma?

“An overwhelming demand placed upon the physiological human system that results in a profound sense of vulnerability and/or loss of control.” - Robert Macy, The Trauma Center-Boston

Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's functioning and physical, social, emotional, or spiritual well-being – (working definition), samhsa.gov, 2013

An event that overwhelms a person’s ability to cope. - Risking Connections, 1999
Psychological Trauma usually involves...

- An overwhelming experience.
- A threat to our physical and/or mental wellbeing.
- A sense of vulnerability or a loss of control.
- A feeling of helplessness and/or fearfulness.
- Impact on relationships and belief systems.

Types of Trauma

Single/Acute

Chronic/Complex
Most Commonly Reported Traumas

- Impaired caregiver: 43.6%
- Loss: 47.9%
- DV: 47.2%
- Neglect: 29.0%
- Emotional abuse: 37.7%
- Physical abuse: 29.9%
- Sexual abuse: 23.9%

Percentage of Children & Adolescents

NCTSN CDS September 2010
## Common Reactions in Adults

<table>
<thead>
<tr>
<th>Cognitive</th>
<th>Social</th>
<th>Emotional</th>
<th>Behavioral</th>
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| • Short attention span  
• Difficulty concentrating  
• Poor academic/work performance  
• Nightmares  
• Distressing thoughts  
• Poor memory  
• Flashbacks | • Dating violence (victim or offender)  
• Social isolation  
• Conflicts in social relationships  
• Less empathy for others | • Grief/denial  
• Feelings of detachment  
• Emotional swings  
• Rage/anger  
• Depression  
• Anxiety  
• PTSD  
• General fear  
• Suicidal Thoughts and/or Attempts | • Substance use/abuse  
• Risky sexual activity  
• Self-Harming Behavior  
• Eating Disorders  
• Social withdrawal  
• Aggression  
• Suicide attempts |
Understanding the Impact of Trauma on the Parent and Family

**Impact on individual behavior**
- Moderate or control emotions
- Make decisions or plan for the future
- Manage other stressors

**Impact on parenting behavior**
- React to a child’s behavior calmly
- Make appropriate safety judgments
- Meet a child’s emotional needs
- Influence relationship interaction patterns

**Impact on relationships**
- Form trusting relationships and healthy attachments
- Reenact traumatic relational patterns
Impact of Domestic Violence on Parents

**Lifetime Exposure**
- Trauma
- Anxiety
- Depression
- Survival

**Parenting Through DV**
- Impulsivity
- Safety judgment
- Attachment
- Navigating violence
- Fight/Flight

**Parenting after separation**
- Future planning
- Recovery
- Managing ongoing stress
Why Are They Acting This Way?

Guilt + parent = ________.

Anger at self is displaced onto:
- Providers: argumentative = “don’t give me advice.”
- Baby/Child: irritable, misattributions
- Self: self-destructive, shame

Anxiety – withdrawn, disorganized

Fear- hyper vigilant, “paranoid”,
- Can I care for this baby/child?
- Are you judging me?
- I’m not good enough.

Experiencing trauma, especially complex (intergenerational) or early trauma, can affect neurobiological development in a variety of ways.

Experiencing childhood trauma can impact developing neural systems and brain structures.
Trauma & Threat Response

The brain:

- Has difficulty relaxing
- Is always on alert
- Scanning for threat

- When triggered, the “thinking brain” shuts down and the “doing brain” takes over.

Source: Kinniburgh and Blaustein, 2005.
Trauma Informed Lens

Changing your lens: “What happened to you?” vs. “What’s wrong with you?”

- When interacting with clients, do not forget that their appearance and behavior may be a result of the trauma they have experienced in their lives.

- People are resilient and have learned ways to cope.
As many as 90% of parents or caregivers involved in the child welfare system have histories of trauma exposure.

Benefits of trauma-informed legal advocacy in the context of parent representation

- Improve quality of legal advocacy
- Inform theory of the case
- Strengthen attorney-client relationship
- Increase likelihood parents are connected to effective trauma treatment
- Improve professional resiliency of lawyers
- Improve outcomes for children
Trauma Informed Principles

1. Safety
2. Trustworthiness
3. Choice
4. Collaboration
5. Empowerment
6. Language Access and Cultural Competence
Specific Elements of Trauma-Informed Parent Advocacy

- Understanding the impact of trauma on the parent and family
- Creating safety and trust in the attorney-client relationship
- Connecting parents to effective resources and services
- Commitment to mitigating the effects of secondary trauma
Creating Safety and Trust in the Attorney-Client Relationship

- Explain your role at the outset
- Establish a collaborative, strengths-based approach to the case
- Create physical comfort and safety for the client
- Prepare client for the court process
- Refrain from making promises about case outcomes
- Learn and avoid client triggers
- Have a plan for trauma reactions
- Have a plan for difficult conversations
- Use empathy, not sympathy
- Provide structure and predictability
- Enforce healthy boundaries
- Coordinate with a client’s existing therapist
Strategies for Difficult Conversations

- Expect to be rejected or ignored
- Emphasize a sense of safety and trust – avoid authoritarian approach
- Practice “empathic objectivity” and don’t take things personally
- Manage your own emotional response when deescalating client’s arousal or posturing behaviors
- Prepare client for the unexpected
- Maintain situational awareness and active safety plan

Adapted from Strategies for Managing the Needs of Special Education Students with Early Trauma Histories: CLP Online Vol. 34 No.1; www.childlawpractice.org
Minimizing Reactions

- Minimizing Triggers in legal proceedings
- Addressing dissociation
- Memory inconsistencies and changes
- De-escalation techniques
Specific Elements of Trauma-Informed Parent Advocacy

Understanding the impact of trauma on the parent and family

Creating safety and trust in the attorney-client relationship

Connecting parents to effective resources and services

Commitment to mitigating the effects of secondary trauma
Connecting Parents to Effective Treatments and Resources

- Recognize you are in a trusted position to connect a client to treatment
- Identify services the parent has already received and how the parent responded
- Increase familiarity with local community resources
- Develop referral relationships with trusted trauma-informed clinicians. Consider individual treatment vs. parent-child treatment
- When appropriate, familiarize the court with the process and scope of evidence-based trauma treatment for adults
- Trouble shoot barriers to accessing resources with clients

Source: NCTSN Birth Parents with Trauma Histories and the Child Welfare System
Referring Clients to Treatment: Key Messages You Can Provide

✓ There are treatments that work.
✓ I can help connect you to support services in your community.
✓ The key role of the caregiver in supporting the child.

“One of the most important factors in helping your child is your support. Treatment can help you better understand your child’s responses and behaviors and know how to help and respond. It will make you feel better as a caregiver.”

-Adapted from Groves, Boston Medical Center Grand Rounds (2013)
Screening Treatment Providers: Questions for Clients to Ask

What formal training have you received in the field of trauma?
- Have you been trained beyond graduate school?
- What was your training?
- Do you use evidenced based practices?
- Do you receive clinical supervision/consultation for this type of work?

What will treatment be like?
- How long does it typically last?
- What will we be working on?
- Who will be involved?
- Where will treatment happen? What does your physical space look like?

Do you have experience with my type of trauma (i.e. sexual abuse, physical abuse, domestic violence, refugee/resettlement)?

How will we know when we are finished?

(Maine Behavioral Healthcare, Portland, Maine, 2012)
Trauma Treatment for Children and Families

https://www.youtube.com/watch?v=3EyvaE
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For Parents: Information about Domestic Violence

NEW Domestic Violence Fact Sheet Series

The NCTSN Domestic Violence Collaborative Group announces a new series of fact sheets created for parents whose children have been affected by domestic violence. The set of 10 fact sheets gets to the heart of the experiences and needs of these children and families, and offers education in support of their resilience and recovery. The titles are:

#1 How Does Domestic Violence Affect Children?
#2 Celebrating Your Child’s Strengths
#3 Before You Talk to Your Children: How Your Feelings Matter
#4 Listening and Talking to Your Child About Domestic Violence
#5 The Importance of Playing with Your Children
#6 Keeping Your Children Safe and Responding to Their Fears
#7 Managing Challenging Behavior of Children Living with Domestic Violence
#8 Where to Turn if You Are Worried About Your Child
#9 Helping Your Child Navigate a Relationship with the Abusive Parent
#10 A Parent’s Self-Care and Self-Reflection

www.nctsn.org/content/resources
Specific Elements of Trauma-Informed Parent Advocacy

- Understanding the impact of trauma on the parent and family
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- Connecting parents to effective resources and services
- Commitment to mitigating the effects of secondary trauma
“The expectation that we can be immersed in suffering and loss daily and not be touched by it is as unrealistic as expecting to be able to walk through water without getting wet.”

Rachel Naomi Remen, *Kitchen Table Wisdom* 1996
Self-Care Concepts

Compassion Satisfaction
Burnout
Compassion Fatigue
Secondary Traumatic Stress
Prevalence of STS: Attorneys

Attorneys are vulnerable to developing CF or STS reactions:

- Compared with mental health professionals and social service workers, attorneys demonstrated significantly higher levels of secondary trauma that were correlated with caseload.

- 1 in 3 reported symptoms of compassion fatigue while 11% met criterial for PTSD.
Risk Factors

- Exposure
- Interaction
- Lack of experience
- Personal trauma history
- Empathy – the double edged sword

Source: Perry (2003); ACS-NYU Children’s Trauma Institute (2012)
Impact of STS

Personal
- Trouble sleeping
- Social withdrawal
- Hypervigilance
- Increased illness
- Intrusive thoughts

Professional
- Less empathy for clients
- Client avoidance
- Aggression
- Loss of professional creativity
“Compassionate lawyering for social justice requires care and nurture of the lawyer, as well as the client, and this self-care is our ethical duty.”

-Jean Koh Peters, J.D., Clinical Professor of Law, Yale Law School
All families are impacted by a traumatic event; however, not all families are traumatized. Families are resilient and they just need the opportunity to strengthen that resilience through the help of people like you.
“Knowledge is of no value unless you put it into practice.”

Anton Chekhov
For More Information…

- National Child Traumatic Stress Network: www.nctsn.net
- Futures Without Violence: www.futureswithoutviolence.org
- National Child Traumatic Stress Network: www.nctsn.net
- National Council of Juvenile and Family Court Judges: www.ncjfcj.org
- National Center for Children Exposed to Violence: http://www.nccev.org
- National Council of Juvenile and Family Court Judges: www.ncjfcj.org
Thank you!

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