



Golden Eagle Rising
Society **presents:**

A Trauma-Informed Legal Practice Tool Kit: Skills for Everyday Lawyering

Led by Myrna McCallum

*Joined by Jessica Magonet, Kareem Ibrahim,
Nisha Sikka & River Shannon*

THE  LAW
FOUNDATION
OF BRITISH COLUMBIA

Webinar hosted by:

This webinar was made possible because of generous funding by the Law Foundation of British Columbia.



Acknowledgements

This tool kit was designed for those very people who have been retraumatized and revictimized by our legal systems and we are constantly working to ensure that our advocacy efforts and legal education centers their voices and experiences.

We are grateful to the individuals with lived experience with the colonial legal system for their wisdom and expertise who participated in our consultations, all of which guided the development of this resource.



Tool Kit Outline



- PART 1: Why Create a Trauma-Informed Legal Practice?
- PART 2: What Is Trauma-Informed Legal Practice?
- PART 3: Trauma and The Brain
- PART 4: Why Law Schools Must Teach Trauma-Informed Practice
- PART 5: The Trauma-Informed Lawyer-Client Relationship
- PART 6: Trauma-Informed Practice In The Courtroom
- PART 7: Vicarious Trauma & You
- PART 8: Where Do We Go From Here?

Presentation Outline

- **Introductions**
- **PART 1: Why Create a Trauma-Informed Legal Practice?**
- **PART 2: What Is Trauma-Informed Legal Practice?**
- **PART 3: Why Law Schools Must Teach Trauma-Informed Practice**
- **PART 4: The Trauma-Informed Lawyer-Client Relationship**
- **PART 5: Trauma-Informed Practice In The Courtroom**
- **PART 6: Where Do We Go From Here?**
- **Question & Answer Session**

Why Create a Trauma- Informed Legal Practice?

- ❖ “Despite how obvious a human-centered design may seem, the absence of it in the Canadian legal system ensures the perpetuation of an outdated regimes incompatible with long-available literature on human psychology and trauma.”
- ❖ “It is reasonable to conclude that the legal system is responsible for the fact that the majority (83%) of sexual assaults were not reported to police, according to a study conducted in 2014.”
- ❖ “For example, how is it that in a relatively recent case from Alberta, a survivor of sexual assault was forced to testify in shackles...and was transported in the same prisoner van with the man who was ultimately convicted of sexually assaulting her?”
 - ❖ “Upon review of the Judge’s decision, the Alberta Judicial Council found no evidence of judicial misconduct, stating that Judge Raymond Bodnarek “intended to serve the objectives of the best administration of justice.””

“Trauma-informed practice does not require becoming a health expert, psychologist, or counsellor.”

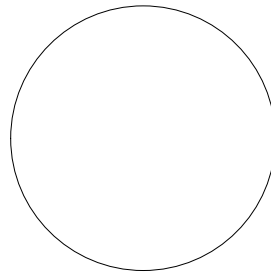
“Trauma can be acute (a single traumatic event limited in time), chronic (multiple traumatic events) or complex (history of severe and long-term trauma).”

“Traumatic experiences shape neurological responses and can affect everyday functioning.”

“A trauma-informed approach to the practice law can help people who experienced trauma successfully navigate the justice system, feel in control and safe, minimize the risk of re-traumatization, and hopefully, diffuse the effects of a traumatic incident. “

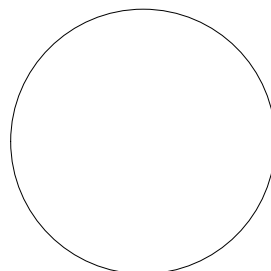
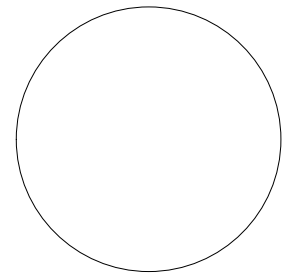
What Is Trauma- Informed Legal Practice?

Why Law Schools Must Teach Trauma-Informed Practice

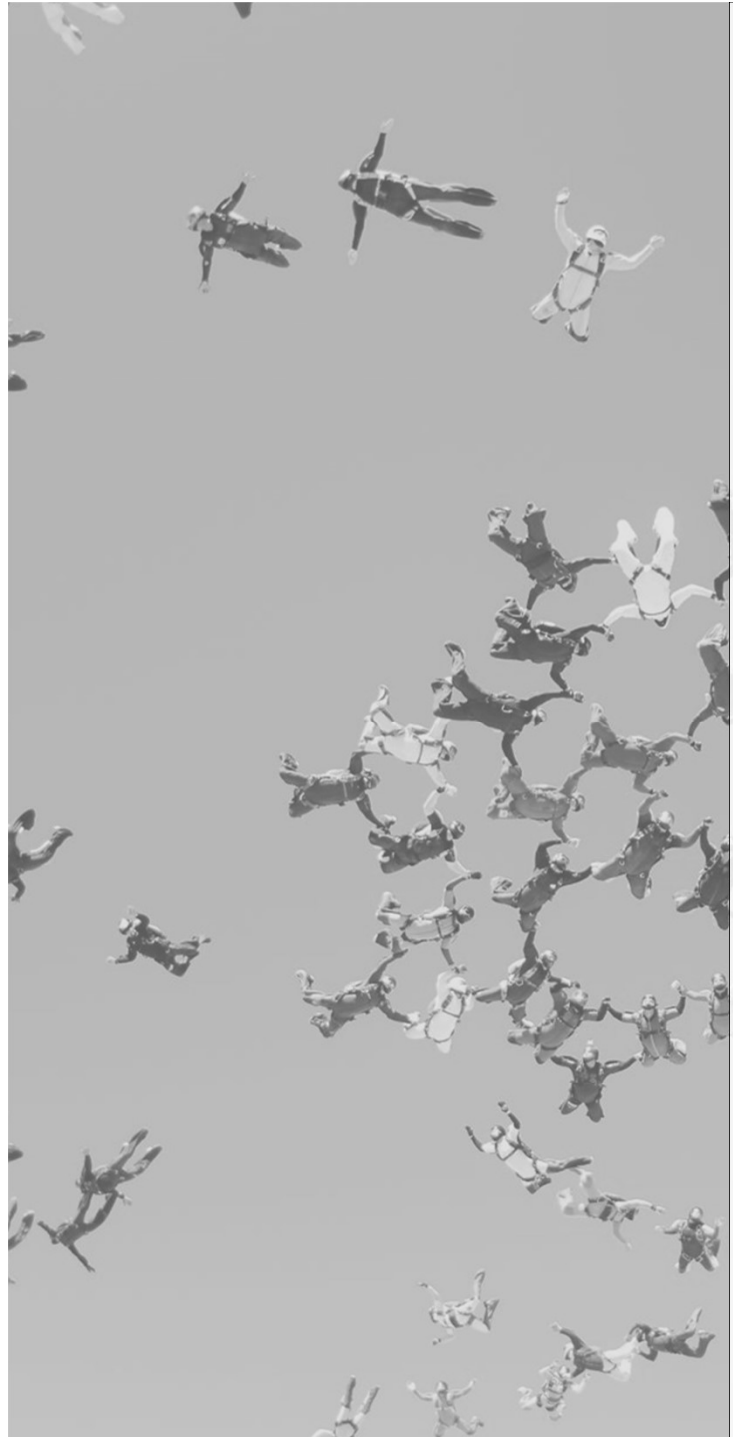


“LAW STUDENTS MUST BE TRAINED ON HOW TO ACHIEVE A BALANCE BETWEEN PROFESSIONAL BOUNDARIES AND THE EMPATHY AND PATIENCE THAT IS REQUIRED TO WORK WITH TRAUMATIZED CLIENTS.”

“BECAUSE PEOPLE WITH TRAUMA OFTEN EXPECT NEW RELATIONSHIPS TO REINFORCE NEGATIVE EXPERIENCES FROM THEIR PAST, LAWYERS MUST BE CAREFUL NOT TO FUEL THIS EXPECTATION.”



“THE AUTHORS REINFORCE HOW TRAUMA CAN IMPACT A CLIENT’S ABILITY TO PROCESS INFORMATION, WHICH CAN THEN INFLUENCE HOW CLIENTS INTERPRET CLIENT-ATTORNEY DIALOGUE.”



The Trauma-Informed Lawyer-Client Relationship

v“The positioning of the relationship allows clients to be viewed as a passive factor to be considered and accounted for. To put it simply, “the lawyer knows best.””

v“Adopting trauma-informed principles won’t just make you a more compassionate person - it will make you a more competent lawyer.”

v“In our haste to be good officers of the court, we sometimes forget that we are meant to serve everyday people in some of the most challenging situations they will encounter.”

Trauma- Informed Practice In The Courtroom

v“If judges are to be effective in their delivery of fairness and justice, they must be mindful of the nature of trauma and take efforts to mitigate the trauma many individuals experience when they enter the courtroom.”

v“The common experiences of Indigenous people in the court room demonstrate how courts perpetuate the traumas many Indigenous victims, offenders and witnesses have experienced because of harmful colonial laws and policies.”

v“A prosecuting lawyer must understand the neurobiological effects of trauma because the impact of trauma will likely appear in vulnerable victims or complainants.”

Where Do We Go From Here?

v“The information in this toolkit is meant to serve as an educational resource you can build upon.”

v“As practitioners delivering an essential service, we must safeguard our mental health so we can continue to do what we love to do for a long, long time.”

Question & Answer Session

Contact Info:

Myrna McCallum

Email: myrna@miyopimatisiwin.ca

Website: <https://traumainformedlegal.ca/>

Twitter: <https://twitter.com/legaltrauma>

Thank you!

Further learning:

Thursday and Friday Oct. 8 & 9!

Join us for a 6-hour, CPD-accredited course, *Trauma-Informed Lawyering: A Critical Competency 2020*, run through CLE BC.

<http://bit.ly/CLEBCtrauma>

The Trauma-Informed Lawyer Podcast

With 11 episodes to date, listeners follow a wide range of legal professionals on their journeys through trauma-informed practice (or lack thereof).

[Simplecast](#)

[Apple Podcasts](#)



Golden Eagle Rising
Society

