



# SUPPORTING CLIENT AGENCY AND EQUITY: TIPS FOR ATTORNEYS & ADVOCATES



## Why Focus on Client Empowerment and Agency?

**Accessing legal help can be intimidating for many clients.** Many clients seeking legal assistance through pro bono service providers and/or victim services agencies have experienced monetary and/or institutional barriers to securing legal help including racism, discrimination, poverty, and/or other types of systemic oppression or inequities, as well as multiple – and often compounding – exposures to trauma.

**Attorneys are seen as gatekeepers to courts and the legal system.** Clients often come with preconceived ideas about the role of an attorney which can be impacted by media and popular culture, as well as the experiences they and their communit(ies) have had with the criminal and civil legal systems. Relationship building can also be influenced by factors such as race, education, and/or perceived social and economic power.

**Client's exposure(s) to trauma can also significantly impact an attorney – client relationship.** Trauma can impede the establishment of trust between attorney and client and impact a client's engagement in their legal case. Trauma may also make basic communication with and advising of clients more challenging, and it will likely impact client recall of matters crucial to the legal case .

**To prioritize an approach that promotes and supports client agency and empowerment, attorneys should enlist the client as a partner in moving towards their own goals.** This frames the attorney and client relationship from the start of representation as one of collaboration and helps transfer power back to the client and their communit(ies).

## Client Empowerment Models - Key Elements to Incorporate into Your Practice:

Attorneys promoting client empowerment and agency should:

- **View the client as a partner in resolving their legal issue.** The attorney emphasizes collaboration to problem solve and ensures all legal options – including inaction – are fully presented. The client's questions and active engagement in legal tasks are encouraged.
- **Create space for the client to define the problem and set goals, even if those goals fall outside traditional legal remedies.** The attorney uses an expansive lens to understand the longer-term goals and needs of their client, placing legal cases in wider systemic context, and is flexible if the client's goals change.
- **Recognize the client as an expert on their lived experiences.** The attorney views the client as the holder of in-depth expertise on past events and relationships relevant to their case and incorporates client expertise when exploring legal options and potential outcomes.
- **Value and elevate client strengths.** The attorney actively helps the client identify their strengths and skills, and the client is given opportunities to use and further develop skills during the representation.
- **Prioritize developing client knowledge and skills.** The attorney encourages client participation in solving legal problems, and the client gains knowledge on how to prevent or address similar legal challenges in the future.

- **View connecting clients to additional resources and community supports as a form of proactive support.** The attorney checks in with the client regarding mental and emotional impact of the legal case and provides referral options for support as needed. The client is also encouraged to discuss non-legal barriers to client goals and gets connected with resources they choose via a warm handoff by the attorney.

## Using a Trauma –Informed Lens to Promote Client Empowerment:

- Ask yourself “What happened to my client?” vs. “What’s wrong with my client?”
- Understand that self-destructive behaviors (self-injury, substance dependence, aggression, chronic inaction, etc.) may be a clients’ attempt to cope with past trauma rather than as a character flaw.
- Understand that trauma manifests itself in many different ways, and that there is no “right” way to be a victim.
- Understand that structural forms of oppression (poverty, racism, transphobia, etc.) can be as deeply traumatizing as an individual traumatic event.
- Remember that the traumatic experience you’re focused on may not be the most painful thing the client has experienced.
- Pay close attention to the phrasing of your questions when working with a client.
- Maintain healthy boundaries and practice self-care!

*For more information about working with survivors of trauma, including prior webinars and tip sheets, please visit the Human Trafficking Prevention Project Resources page at <https://mvslaw.org/http-resources-2/>*

This tip sheet was created as part of the **Human Trafficking Prevention Project (HTPP)**, a collaboration between the University of Baltimore School of Law and Maryland Volunteer Lawyers Service (MVLS). Recommendations on this tip sheet are adapted from the HTPP webinar:

“Supporting Client Agency and Equity: Incorporating Client Empowerment Models into Your Legal Practice,” featuring guest presenter Bridgette A. Carr, Clinical Professor of Law and Director of the Human Trafficking Clinic at Michigan Law.

This webinar is available for viewing at: [www.mvslaw.org/ht](http://www.mvslaw.org/ht)

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