

TOWARD TRAUMA-INFORMED LEGAL EDUCATION

RHIANNON SIÂN ADAMS,* JUSTINA BRUERA,**
KARLA AIMEE CUEVAS RAMIREZ,*** & JOSEFINA GUTIÉRREZ WEIL****

The practice of lawyering is an inherently relational practice. At its core, lawyering exists largely to address conflict. Yet, despite the problem-solving nature of the profession, law schools teach the academic and practical elements of legal practice without the critical methodologies and theories that relate to law's relational practice. Regardless of the area of law, trauma informs the conflicts and tensions within legal relationships, shaping how individuals present, react and communicate. Trauma-informed lawyering thus presents an effective educational framework. While trauma-informed lawyering is increasingly incorporated within legal clinics, little is done outside of the clinical space to educate law students on methodological approaches to lawyering. This Article presents one tested approach to providing a trauma-informed legal education beyond the clinic—through a for-credit reading group on trauma-informed lawyering. Drawing from the authors' experience designing and facilitating the Reading Group on Trauma-Informed Lawyering at Columbia Law School, the Article examines both the theoretical foundations and practical implementation of trauma-informed pedagogy within legal education. Through a reading group, law schools can provide students an opportunity to engage in a critical reflection on retraumatization and vicarious trauma, while navigating their own relationality to trauma. Ultimately, trauma-informed lawyering provides the scaffolding for a legal practice informed by a sensitivity to well-being, empathy, and justice, and should thus be incorporated into each student's legal education.

* Teaching Fellow at Georgetown Law School's Intellectual Property and Information Policy (iPIP) Clinic.

** J.S.D. candidate at Columbia Law School and Teaching Fellow in Georgetown Law School's Domestic Violence Clinic.

*** Lawyer at the Mexican Central Bank and works at an NGO providing pro bono care for victims of gender violence.

**** Senior associate at Giroux Vial, a Chilean boutique law firm specializing in white-collar law, and an assistant lecturer at the Criminal Law Clinic of Pontificia Universidad Católica de Chile.

The authors are listed alphabetically by last name. The authors would like to especially thank Amber Baylor for her invaluable guidance and supervision with the reading group. The authors are also grateful to Philip Genty, Leigh Goodmark, Sarah Knuckey, Alejo Rodriguez, Rosalyn Richter, Kate Porterfield, Frederic Megret, Susan Sturm, Eunice Hong, Kelsey Jost-Creegan, Elora Mukherjee, and Amanda Tepski. Their support made this paper and the reading group described herein possible. We would also like to thank the participants of the 2025 TechClinic Camp workshop and the Mid-Atlantic Clinicians conference for their thorough and helpful feedback.

INTRODUCTION

*To the oppressed,
and to those who suffer with them
and fight at their side
– Paulo Freire¹*

*Trauma-informed lawyering is a practice in awareness,
not an awareness of a practice – Alejo Rodriguez²*

The practice of lawyering is an inherently relational practice. Intrinsic to its existence is the bringing together of people: attorney with client, movements with collaborators, partners with rights-holders. At its core, lawyering exists largely to address or mitigate conflict, people rarely seek out a lawyer unless they face a problem.³ Yet, despite the problem-solving nature of the profession, which inherently fosters close relational engagement, law schools teach the academic and practical elements to legal practice with minimal, or usually zero, emphasis in the critical methodologies and theories that relate to our relational practice.

Interpersonal relationships are often imbued with power dynamics.⁴ You may have an Ivy League-educated lawyer working with an undocumented individual, or a student attorney before a judge who has been on the bench for longer than the student has been alive. As

¹ PAULO FREIRE, *PEDAGOGY OF THE OPPRESSED* (Myra Bergman trans., 30th Anniv. ed., 2000).

² A spontaneous quote from Alejo Rodriguez during a Reading Group meeting on Trauma-Informed Lawyering at Columbia Law School (Feb. 26, 2024).

³ See, e.g., KENNETH EINAR HIMMA, *The Conceptual Function of Law: Law, Coercion, and Keeping the Peace*, in *LAW AS AN ARTIFACT* 144 (2018) (describing the law's conceptual function as “keeping the peace by regulating behavior”); William L. Felstiner et al., *The Emergence and Transformation of Disputes: Naming, Blaming, Claiming . . .*, 5 *LAW & SOC’Y REV.* 631, 645 (1980) (“lawyers play a central role in dispute decisions . . .”); AUSTIN SARAT & WILLIAM L.F. FELSTINER, *DIVORCE LAWYERS AND THEIR CLIENTS: POWER AND MEANING IN THE LEGAL PROCESS* 142 (1995) (“lawyer-client relationships are sites of conflicts and negotiation in which the conditions of power change from moment to moment . . .”); Robert C. Clark, *Why So Many Lawyers? Are They Good or Bad?*, 61 *FORDHAM L. REV.* 275, 281 (1992) (“My answer is that [lawyers] create, find, interpret, adapt, apply, and enforce rules and principles that structure human relationships and interactions.”); Joshua D. Rosenberg, *Interpersonal Dynamics: Helping Lawyers Learn the Skills, and the Importance, of Human Relationships in the Practice of Law*, 58 *U. MIA. L. REV.* 1225, 1226 (2004) (“Most lawyers live in a world full of disagreement, hostility, competition, and pressure”). See generally H. L. A. HART, *THE CONCEPT OF LAW* (1961) (describing how laws govern general societal conduct, and combat uncertainty, inefficiency, and the static quality of law).

⁴ See, e.g., Kate Porterfield, *Trauma-Informed Client Communication Strategies for Lawyers*, in *TRAUMA-INFORMED LAW: A PRIMER FOR LAWYER RESILIENCE AND HEALING* 68 (Helgi Maki et al. eds., 2023); see also SARAT & FELSTINER, *supra* note 3 at 1664, 1679 (describing how lawyers are intermediaries between clients and the law because of their greater experience and knowledge).

Dr. Kate Porterfield has recognized, this “power differential” can lead to clients having “difficulty communicating their needs.”⁵ Unless a student seeks it out, law school is unlikely to provide training on how lawyers are to navigate these power dynamics in ways that do not cause harm.

Whether in immigration proceedings, criminal trials, or with those who have suffered grave human rights violations, interactions between lawyers and those they assist are often at a time of acute and severe stress. Clients and partners will often have to disclose “some of the most intimate and painful details of their lives” when speaking to their lawyer.⁶ This is not contained to the public-interest sphere. Emotion runs high throughout ‘BigLaw’ practice: corporate lawyers guide new business founders to grow their businesses; employment lawyers delicately negotiate severance packages for workers; family lawyers help their clients draft and plan their wills; judges see hundreds of individuals, lawyers and non-lawyers alike, pass through their courtrooms. It is in the space of these conflicts and tensions that a lawyer’s role comes to play.⁷

However, there is a myopic focus on legal expertise in the profession’s understanding of ‘good’ lawyering. By focusing purely on the letter of the law, we lose sight of the spaces where excellent lawyering can take place.⁸ Take, for example, Nancy Polikoff’s experiences as a progressive lawyer representing “demonstrators arrested for committing acts of civil disobedience in support of lesbian and gay rights and ... AIDS issues.”⁹ By unpacking her experiences as both an activist and lawyer for the very same movement, Polikoff explores how her relationships with her clients and within the legal system worked to ensure she is a better lawyer and activist.¹⁰ She identified what many would consider to be non-legal tasks, such as carrying messages between those arrested and their supporters, as crucial: “it [was] one of the few ways in which my clients and I can clearly see ourselves as part of a common

⁵ Porterfield, *supra* note 4, at 68.

⁶ Sarah Katz & Deeya Halder, *The Pedagogy of Trauma-Informed Lawyering*, 22 CLIN. L. REV. 359, 361 (2016).

⁷ If we are client-centered in our lawyering. See Porterfield, *supra* note 4, at 68 (“Client-centered legal work requires a recognition from the lawyer that the person in front of him/her/them, seeking or utilizing their services, has an entire life history and an array of reactions and feelings that may impact that person’s ability to work with the attorney.”); see also Monroe H. Freedman, *Client-Centered Lawyering-What it Isn’t*, 40 HOFSTRA L. REV. 349, 349-350 (2011).

⁸ See Nancy Polikoff, *Am I My Client?: The Role Confusion of a Lawyer Activist*, 31 HARV. C.R.-C.L. L. REV. 443, 444 (1996); Kristin B. Gerdy, *Clients, Empathy, and Compassion: Introducing First-Year Students to the “Heart” of Lawyering*, 87 NEB. L. REV. 15, 15-17 (2010); Rosenberg, *supra* note 3, at 1226 (“Unfortunately, however, we do not teach people how to use these skills in the contexts where they are most needed - in interactions and relationships with colleagues, opposing counsel, clients and decision-makers”); Stephen Wiesner, *Is Learning to Think Like A Lawyer Enough?*, 17 YALE L. & POL’Y REV. 583, 586 (1998).

⁹ Polikoff, *supra* note 8, at 444.

¹⁰ *Id.* at 446.

struggle.”¹¹ Had she focused solely on the law, her ability to sustain the relationships she had with the movement and its participants would have weakened, cutting across her ability to represent them and achieve the radical change the movement sought to achieve.¹² Navigating the ethical with the legal is the role of the lawyer and the lack of space in legal education to develop the strengths and skills to explore this tension cuts short the ability for student lawyers to grow, explore their own lawyering identity, and learn how to navigate the complex relationships that exist within legal practice.¹³

Many relationships that exist within the law are informed by trauma.¹⁴ Trauma, in its many forms, shapes how individuals present, react and communicate—each of which are essential to the lawyering dynamic.¹⁵ Trauma is thus a helpful entry point for exploring the methodology of lawyering and provides an opportunity to reimagine the interpersonal aspects to the law. These inquiries became central to our own efforts to design a trauma-informed pedagogical space within legal education. Many scholars and practitioners have advocated for the incorporation of an understanding of trauma within the work of lawyers, to help better connect with clients and partners, as well as be a more effective representative.¹⁶ Nonetheless, law schools do very little to assist lawyers-in-training with this unavoidable aspect of legal work.¹⁷ In some law school clinic environments, there has been an increase in teaching of how “to recognize the effects these traumatic experiences

¹¹ *Id.* at 454.

¹² *Id.* at 446.

¹³ Rosenberg, *supra* note 3, at 1226; Wiesner, *supra* note 8, at 586 (calling for the expansion of clinics to play this role).

¹⁴ See Porterfield, *supra* note 4, at 69; Katz & Haldar, *supra* note 6, at 366; Marjorie Silver, et. al, *Stress, Burnout, Vicarious Trauma, and Other Emotional Realities in the Lawyer/Client Relationship*, 19 *TOURO L. REV.* 845, 853 (2015) (“It is my hypothesis that everyone here has experienced what would be called vicarious trauma.”).

¹⁵ *Id.*

¹⁶ See, e.g., Katz & Haldar, *supra* note 6, at 364 (citing S.D. Solomon & J.R.T. Davidson, *Trauma: Prevalence, Impairment, Service Use, and Cost*, 58 *J. CLIN. PSYCH.* (Suppl. 9) 5-11, 7 (1997)); Rebecca Howlett & Cynthia Sharp, *Strategies for a Trauma-informed Law Practice*, *AM. BAR ASS’N* (Oct. 26, 2021), https://www.americanbar.org/groups/gpsolo/publications/gpsolo_ereport/2021/october-2021/legal-burnout-solution-strategies-trauma-informed-law-practice/; Kimberly A. Hardtke, *A Practical Guide To Trauma-Informed Lawyering*, *WIS. LAWYER* (Jul. 20, 2023), <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?ArticleID=29912>.

¹⁷ Lindsay Harris & Hillary Mellinger, *Asylum Attorney Burnout and Secondary Trauma*, 56 *WAKE FOREST L. REV.* 733, 801 (2021); Mallika Kaur, *Negotiating Trauma & Teaching Law*, 35 *J.L. & Soc. POL’Y* 113, 115–16 (2021) (quoting a UC Berkeley 3L, “‘Better than a ‘trigger warning’ is to train professors on how to respond to and address trauma in the classroom”); Brittany Stringfellow Otey, *Buffering Burnout: Preparing the Online Generation for the Occupational Hazards of the Legal Profession*, 24 *S. CAL. INTERDISC. L.J.* 147, 150 (2014) (“[L]egal education has yet to find a comprehensive and effective way to educate and prepare young lawyers to mitigate or even prevent these professional impairments.”).

may have on their clients' actions and behaviors... [and] the effect that their clients' stories and hardships are having on their own advocacy and lives as a whole."¹⁸ Yet, this (un)learning rarely goes beyond the clinic environment.¹⁹

This Article emerges from our experience attempting to address that pedagogical gap through the creation of the Reading Group on Trauma-Informed Lawyering at Columbia Law School. Designed as an interdisciplinary, discussion-based space for students to engage critically with trauma-informed legal practice across legal fields, the Reading Group became both a pedagogical experiment and a broader inquiry into what trauma-informed legal education might look like beyond the clinic setting. Our experience designing, facilitating, and refining the Reading Group informs the theoretical and practical arguments developed throughout this Article, particularly how legal education can better prepare students to navigate the relational and power-laden realities of legal practice.

Paulo Freire, in the opening page of 'Pedagogy of the Oppressed,' dedicates the book to two categories of individuals: the 'oppressed' and those who fight at their side.²⁰ His description of the two individuals as both suffering is striking—the oppressed and “those who suffer with them.”²¹ It is the unquestioned acknowledgement that those who work alongside those who are suffering will also suffer. This is reflected in cultures of lawyering, for example some have suggested that human rights practice “emphasise[s] self-sacrifice, heroism, and martyrdom.”²² It is this dynamic that trauma-informed lawyering seeks to change and mitigate: the idea that both groups of people suffer through this process.²³ Through learning about and understanding retraumatization and vicarious trauma, lawyers can take steps to prevent the further suffering of the people they work with, as well as the mitigation of their

¹⁸ Katz & Haldar, *supra* note 6, at 362.

¹⁹ Often scholarship that addresses trauma-informed lawyering focuses on the clinic space. *See, e.g., id.* at 362.

²⁰ FREIRE, *supra* note 1. Paulo Freire was a Brazilian educator and theorist. In this book, he critiques traditional teaching methods as perpetuating oppression. *See id.* We would like to thank Kelsey Jost-Creegan for this recommendation and for inspiring us to frame this Article with these quotes, as well as inform our own practice with participatory methodologies including trauma-informed lawyering.

²¹ *Id.*

²² Alice Nah, *Wellbeing, Risk, and Human Rights Practice*, HUM. RTS. DEFENDER HUB POL'Y BR. 1, 1 (2017).

²³ *See generally* Silver et al., *supra* note 14 (discussing vicarious trauma); Porterfield, *supra* note 4, at 68-69. *See, e.g.,* Sarah Knuckey, Margaret Satterthwaite & Adam Brown, *Trauma, Depression, and Burnout in the Human Rights Field: Identifying Barriers and Pathways to Resilient Advocacy*, 49 COLUM. HUM. RTS. L. REV. 269 (2018) (describing how human rights lawyers are impacted by secondary trauma).

own suffering by way of vicarious trauma—facilitating a critical reflection upon one’s own relationality to such trauma.²⁴

This Article builds upon the crucial work of Sarah Katz and Deeya Haldar who observe the importance of trauma-informed lawyering in furthering the goals of the legal clinic and provide pedagogical approaches to do so.²⁵ We add to this by offering a different method for introducing trauma-informed lawyering into non-clinical legal curricula. This Article explores how the authors set out to create spaces at law school to extend the education of trauma-informed practices to beyond the clinical sphere. This Article maps our work bringing together a reading group at Columbia Law School on trauma-informed lawyering, through which we were able to explore ways that combine pedagogical tools and expertise from across legal disciplines, with dedicated law students who have already identified a need for trauma-informed practices, language, and methodologies to be part of their lawyering repertoire.

This Article is not a guide to trauma-informed practice. There are many other brilliant papers and guides on trauma-informed practice from both a lawyering and psychological perspective, authored by those with the requisite expertise.²⁶ Instead, this Article details what worked for our reading group, what didn’t work, and the reasons behind the choices we made. We advocate for an inclusion of trauma-informed lawyering practices within the foundational teachings that occur for all law students, regardless of intended practice area of interest. But first, we posit that an initial step would be to provide spaces akin to a reading group to allow a trauma-informed community to begin to grow and flourish. The Reading Group, we hope, could provide a template to

²⁴ See Silver et al., *supra* note 14; Porterfield, *supra* note 4, at 68-69; Knuckey, *supra* note 23.

²⁵ Katz & Haldar, *supra* note 6.

²⁶ See, e.g., Howlett & Sharp, *supra* note 16; Howard Pinderhughes, Rachel A. Davis & Myesha Williams, *Adverse Community Experiences and Resilience: A Framework for Addressing and Preventing Community Trauma*, PREVENTION INST. (2015); Eva McKinsey, et al., *Trauma-Informed Judicial Practice from the Judges’ Perspective*, 106 JUDICATURE 34 (2022); Theresa Bohannon, et al., *Voices from the Bench: Judicial Perspectives on Handling Child Sex Trafficking Cases*, NAT’L COUNCIL OF JUV. & FAM. CT. JUDGES (2019); *Strategies for Connecting with Survivors Involved with Legal Proceedings (Module 1)*, NAT’L CTR. ON DOMESTIC VIOLENCE, TRAUMA, AND MENTAL HEALTH, <https://ncdvtmh.org/toolkit/strategies-for-connecting-with-survivors-involved-with-legal-proceedings/> [hereinafter NAT’L CTR. ON DOMESTIC VIOLENCE]; *Guidelines for Interviewing Survivors of Trauma and Conducting Research on Sexual Violence*, HUM. RTS. WATCH (2016) (on file with authors) [hereinafter *Guidelines*]; Elise Baker, et al., *Safer Viewing: A Study of Secondary Trauma Mitigation Techniques in Open Source Investigations*, 22 HEALTH & HUM. RTS. J. 293 (Jun. 2020); *Guide to Trauma-Informed Legal Writing*, BRIT. COLUM. L. INST. (Feb. 2025), <https://www.bcli.org/wp-content/uploads/TILWG-Final.pdf>; *Trauma-Informed Toolkit for Legal Professionals*, GOLDEN EAGLE RISING SOC’Y, <https://www.goldeneaglerising.org/initiatives-and-actions/trauma-informed-toolkit-for-legal-professionals/>.

spark the development of other trauma-informed communities at law schools across the U.S. (and beyond), and provide a toolkit for implementing institutional and professional change.

Section I explores the theory of trauma-informed lawyering. It defines the methodology, identifies its relevance to different areas of legal practice, and observes its potential to offer both individual and systematic change in lawyering identities. Section II draws from our experience creating and facilitating the Reading Group on Trauma-Informed Lawyering at Columbia Law School to explore how trauma-informed pedagogy can be incorporated into legal education beyond the clinic setting. Section III explores other opportunities for institutional transformation through trauma-informed lawyering. It outlines reforms and concrete alternatives for the inclusion of trauma-informed lawyering in legal education, drawn from, but going beyond, our experience developing the Reading Group.

Ultimately, this Article hints at how a trauma-informed legal education can provide an opportunity for profession-wide transformation. Trauma-informed lawyering provides the intellectual and methodological backbone for institutional change that offers a window into what lawyering can be, if informed by a sensitivity to well-being, empathy, and justice. But first, let's equip more students with the essential trauma-informed lawyering skills necessary to navigate the complex relationality of legal practice.

I. TRAUMA-INFORMED LAWYERING THEORY

People may encounter the legal system at some of the most difficult moments in their lives. They may be facing criminal charges, seeking protection from violence, navigating family disputes, or dealing with immigration or housing issues. In many of these situations, legal issues are closely connected to experiences of conflict, which may be traumatic.

Trauma affects how individuals interact with the legal system and with their attorneys.²⁷ Trauma-informed lawyering is a practice that asks lawyers to understand how trauma shapes the experiences of those they work with, as well as their own experiences.²⁸ A trauma-informed approach seeks to prevent the retraumatization of clients and protect lawyers from the effects of vicarious trauma.²⁹

²⁷ See Porterfield, *supra* note 4, at 69; Katz & Haldar, *supra* note 6, at 366; Silver et al., *supra* note 14, at 853 (“It is my hypothesis that everyone here has experienced what would be called vicarious trauma.”).

²⁸ Porterfield, *supra* note 4, at 69.

²⁹ See generally Silver et al., *supra* note 14 (discussing vicarious trauma); Porterfield, *supra* note 4, at 68-69. See, e.g., Knuckey, *supra* note 23 (describing how human rights lawyers are impacted by secondary trauma).

This Section introduces the concept of trauma-informed lawyering by focusing on five key components: a definition of trauma; how it shows up in the legal system; trauma-informed lawyering as both a methodological approach and a professional ethic; practical examples across legal contexts; and its positive impact on clients, communities, and lawyers themselves. These theoretical and practical components of trauma-informed lawyering laid the foundations for the structure of the Reading Group. Our goal was for students to leave the Reading Group having a deepened understanding of each.

A. What is Trauma?

Trauma is a biopsychosocial experience that shapes humans' physiological, cognitive, emotional, and interpersonal functioning.³⁰ Agreeing on a clear definition of trauma is a challenging task since it is not a singular, uniform experience but a profoundly personal and multifaceted phenomenon.³¹ Simply, the American Psychological Association defines trauma as: "[An] emotional response to a terrible event like an accident, rape or natural disaster."³²

Trauma can arise from various sources, ranging from sudden, distressing events to more subtle, persistent experiences. Dr. Van Der Kolk describes how "[o]ne does not have to be a combat soldier, or visit a refugee camp in Syria or the Congo to encounter trauma."³³ Experiencing violence, being involved in a life-threatening accident, facing the sudden death of loved ones, enduring natural disasters, suffering childhood neglect, experiencing intimate partner violence, and encountering various forms of abuse such as physical, emotional, or sexual abuse, as well as violence from war, can all be significant sources of trauma.³⁴ Trauma can also be experienced in cultural, intergenerational and historical ways, particularly for marginalized communities.³⁵ Individuals can be affected by trauma caused by structural violence, which prevents people and communities from meeting their basic needs.³⁶ In communities where there is a high level of violence, the community as a whole can be traumatized—trauma manifests as symptoms at the community level.³⁷

³⁰ Porterfield, *supra* note 4, at 69.

³¹ See generally *id.*

³² Trauma, AM. PSYCH. ASS'N, <http://www.apa.org/topics/trauma/>.

³³ BASSEL VAN DER KOLK, THE BODY KEEPS THE SCORE. BRAIN, MIND, AND BODY IN THE HEALING OF TRAUMA 1 (2014).

³⁴ Katz & Haldar, *supra* note 6, at 365 (citing S.D. Solomon & J.R.T. Davidson, *Trauma: Prevalence, Impairment, Service Use, and Cost*, 58 J. CLIN. PSYCH. 5-11 (1997)); Howlett & Sharp, *supra* note 16.

³⁵ Howlett & Sharp, *supra* note 16.

³⁶ See, e.g., Pinderhughes et al., *supra* note 26.

³⁷ *Id.* at 3.

Trauma does not only affect those who experience it directly. Professionals who assist people who have experienced trauma may themselves experience trauma as a result of exposure to others' suffering.³⁸ This experience is known as "vicarious trauma" or "secondary trauma" and it refers to the emotional and psychological effects that arise from engaging with another person's traumatic experiences. Its effects are wide-ranging—from severe stress, anxiety, and insomnia, to over-identification with clients or denial of their trauma.³⁹ This is particularly relevant for lawyers, whose regular engagement with clients' traumatic experiences may expose them to these symptoms, which, if left unaddressed, can undermine their effectiveness.⁴⁰ A trauma-informed approach recognizes this risk and encourages lawyers to attend not only to the trauma of those they work with, but also to their own trauma.⁴¹

The effects of trauma can vary widely from one person to another. Responses to trauma are psychobiologic—individualized with no one universal experience.⁴² The Centers for Disease Control and Prevention states that traumatic events are marked by feelings of horror, helplessness, severe injury, or the threat of serious injury or death.⁴³ Responses to trauma can be categorized as either "short-term or long-term"⁴⁴ and "acute or chronic."⁴⁵ Acute trauma involves suffering from a single traumatic event or a brief period of distress. In contrast, chronic trauma refers to multiple traumatic events that occur over an extended period.⁴⁶ Examples of chronic trauma include living in poverty, enduring a conflict setting, experiencing domestic violence, or being subjected to abusive conditions of detention or imprisonment.⁴⁷

Advances in neuroscience help us understand trauma's more general effects on the brain and body. Dr. Van der Kolk explains that trauma is not merely an event that occurred in the past; it also leaves a lasting imprint on the mind, brain, and body.⁴⁸ This imprint reshapes how both

³⁸ Silver et al., *supra* note 14, at 859.

³⁹ Katz & Haldar, *supra* note 6, at 368-369.

⁴⁰ *Id.* at 369.

⁴¹ *Id.* at 370 ("trauma-informed services and programs are more supportive (rather than controlling and punitive), avoid retraumatizing and punishing those served, and avoid vicarious traumatization of those serving the survivors.").

⁴² *Id.* at 367 (citing Richard R. Kluft, Sandra L. Bloom, & John D. Kinzie, *Treating the Traumatized Patient and Victims of Violence*, 86 NEW DIRECTIONS IN MENTAL HEALTH SERVS. 79, 3 (2000)).

⁴³ *Helping Patients Cope with a Traumatic Event*, CTRS. FOR DISEASE CONTROL AND PREVENTION, https://www.cdc.gov/masstrauma/factsheets/professionals/coping_professional.pdf [https://perma.cc/SH6H-MJAM].

⁴⁴ Katz & Haldar, *supra* note 6, at 367.

⁴⁵ *Guidelines*, *supra* note 26, at 5 (on file with authors).

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ VAN DER KOLK, *supra* note 33, at 94.

the body and mind perceive the world.⁴⁹ Overwhelming experiences can profoundly affect our innermost sensations and connection to our physical reality, touching the very core of our identity.⁵⁰ When people face a traumatic experience, “their emotional brains take the reins and supersede their executive functions.”⁵¹ As a consequence, after experiencing trauma, a person may be without words to express it.⁵² Consequently, trauma can influence social relationships and interactions, impacting how individuals connect with the legal system, particularly with their attorneys.⁵³

B. Trauma and the Legal System

Many individuals only interact with the legal system following a traumatic event.⁵⁴ Legal processes can be inherently distressing for non-lawyers, especially for those who have already experienced trauma.⁵⁵ Individuals may also experience trauma that is entirely unrelated to the legal issue at hand.⁵⁶ Courts, administrative proceedings, and legal disputes often involve adversarial settings, bureaucratic complexities, and prolonged uncertainty which can exacerbate feelings of powerlessness and anxiety: simply, “[t]he bright lights, loud noises, questioning by guards and staff, harsh physical handling/movement, restrictions, and sparse living quarters can be triggering.”⁵⁷

The structure of legal proceedings often fails to accommodate the emotional and psychological needs of those who have endured trauma: “[d]ealing with the legal system’s rules and unfamiliar setting, testifying about a traumatic incident, and even merely appearing in court can create new, painful memories that compound old ones.”⁵⁸ Courtrooms prioritize logic, evidence, and procedural fairness, yet these principles do not always align with the lived realities of trauma survivors.⁵⁹ Many

⁴⁹ *Id.* at 97.

⁵⁰ *Id.* at 94.

⁵¹ *Id.* at 178.

⁵² *Id.*

⁵³ Katz & Haldar, *supra* note 6, at 366.

⁵⁴ See Porterfield, *supra* note 4; SARAT & FELSTINER, *supra* note 4.

⁵⁵ Hardtke, *supra* note 16, at 21.

⁵⁶ Howlett & Sharp, *supra* note 16.

⁵⁷ Sharyn Adams, Jaclyn Houston-Kolnick, & Jessica Reichert, *Trauma-Informed and Evidence-Based Practices and Programs to Address Trauma in Correctional Settings*, ILL. CRIM. JUST. INFO. AUTH. (Jul. 25, 2017), <https://icjia.illinois.gov/researchhub/articles/trauma-informed-and-evidence-based-practices-and-programs-to-address-trauma-in-correctional-settings> (citing Craig Haney, *The psychological impact of incarceration: Implications for post-prison adjustment*, U.S. DEP’T OF HEALTH AND HUM. SERVS. (2002)).

⁵⁸ Hardtke, *supra* note 16.

⁵⁹ *Id.* (describing the ways that the courtroom and court procedures could be adapted to be more trauma-informed: “other important rights aimed at reducing the trauma that victims might experience in the courtroom include the right to privacy, to ‘timely disposition of the

legal systems emphasize objectivity and skepticism, which can invalidate or minimize personal experiences, particularly if victims struggle with memory fragmentation: a well-documented psychological effect of trauma.⁶⁰ One example comes from the criminal sphere. Victims of domestic violence or sexual assault may be required to recount their experiences multiple times in settings that feel hostile or dismissive, forcing them to relive painful events while under scrutiny.⁶¹ This process can compound their trauma, especially when their credibility is questioned or their emotions are perceived as exaggeration.⁶² Providing testimony in these circumstances is an essential part to the justice process, but the methods in which this testimony is taken can be adjusted to help the individual feel more comfortable, in of itself facilitating a stronger testimony.⁶³

In addition, the formal atmosphere of legal settings, along with the presence of authority figures such as judges and opposing counsel, can lead to increased anxiety for participants.⁶⁴ The requirement to testify in public may also make the process feel overwhelming or even unmanageable for some individuals.⁶⁵ Moreover, the power imbalance between legal professionals and everyday people can heighten this distress, as individuals often find it difficult to navigate unfamiliar terms, tight deadlines, and high-stakes results without sufficient support.⁶⁶ While lawyers may not always be conscious of it, the structure of legal representation often places attorneys in control, deciding when, where, and how meetings occur, and setting the tone of communication.⁶⁷ For trauma survivors, this dynamic can unintentionally echo previous experiences

case,’ to ‘reasonable protection from the accused’ throughout the case, and to ‘be heard in any proceeding during which a right of the victim is implicated.’”).

⁶⁰ Katz & Haldar, *supra* note 6, at 366.

⁶¹ *Trauma-Informed Legal Advocacy: Practice Scenarios Series. Trauma, Memory & Trust-Building*, NAT’L CTR. ON DOMESTIC VIOLENCE, TRAUMA & MENTAL HEALTH 1, 2 (Mar. 2015), https://ncdvtmh.org/wp-content/uploads/2022/08/TILA_Trauma_Memory_TrustBuildingApr22.pdf.

⁶² See, e.g., Laura Nacyte, *Trauma-Misinformed Justice at the International Criminal Court*, INTLAWGRRLS (Mar. 3, 2020), <https://ilg2.blog/2020/03/03/trauma-misinformed-justice-at-the-international-criminal-court/> (discussing *Prosecutor v. Ntaganda*, ICC-01/04-02/06, Judgment, paragraph 91 (Jul. 8, 2019), where the defense characterized a witness struggling to recall traumatic details as “combative, biased and uncooperative”).

⁶³ *Id.*

⁶⁴ See, e.g., Hardtke, *supra* note 16, at 25 (“judges and lawyers sometimes seem to be operating under a secret code and language that can be difficult to decipher for the uninitiated”).

⁶⁵ Hardtke *supra* note 16, at 22 (“Attorneys can then build on this foundation using similar trauma-informed principles to help minimize the effects of additional trauma, created or exacerbated by activities like speaking with investigators, going to court proceedings, or testifying.”); see also Katz & Haldar, *supra* note 6, at 372 (describing the fear involved in testifying against, and in front of, a client’s abusive ex-husband).

⁶⁶ Hardtke, *supra* note 16, at 24.

⁶⁷ See SARAT & FELSTINER, *supra* note 3, at 635.

of powerlessness or lack of agency. Recognizing this imbalance is crucial, as it can “impact on a victim’s sense of agency and well-being.”⁶⁸ Before even entering the courtroom, legal bureaucracy itself can be an exhausting and alienating force. Instructing a lawyer, navigating legal aid systems, filing claims, or seeking asylum often requires individuals to repeatedly justify their pain and suffering to strangers in positions of power.⁶⁹ This is particularly so for some areas of law that may more acutely or universally feel the symptoms of trauma—such as criminal law or human rights.⁷⁰ Trauma brushes up against many aspects of the criminal justice system and scholars and practitioners have advocated to “reduce future offending and protect the safety of the community more effectively than incarceration” by recognizing the trauma of parties involved.⁷¹ Evidence of a defendant’s past trauma has remained “legally irrelevant” for the majority of criminal cases, i.e. those not involving the death penalty or juvenile life without parole.⁷² For example, Miriam S. Gohara proposes, to remedy this, trauma mitigation should be instrumental as a criminal defense attorney in order to be an effective legal representative, to progress beyond “antiquated sentencing practices.”⁷³

Human rights law presents a similarly trauma-proximate field of practice. As Knuckey, Satterthwaite & Brown recognize, human rights practitioners brush up against trauma as part of their work frequently due to *inter alia* their work gathering “testimony about heinous abuses,” being located in “insecure locations,” and “directly witness[ing] abuses.”⁷⁴ Whilst human rights practice can vary enormously, the authors highlight how most practitioners will “work in environments with abusive, violent, threatening, or otherwise distressing materials that can pose risks to advocates’ mental health and wellbeing.”⁷⁵ Technological developments have improved human rights researchers’ capabilities in their fact-finding missions and evidence gathering, allowing them to explore the depth and veracity of violations online. Sometimes labeled “digital open source investigation,” many organizations use this methodology to document violations.⁷⁶ However, as has been noted by the American

⁶⁸ Hardtke, *supra* note 16, at 24.

⁶⁹ *Id.* at 25.

⁷⁰ See, e.g., Knuckey, *supra* note 23, at 269; Baker et al., *supra* note 26, at 293-304; Mika’il DeVeaux, *The Trauma of the Incarceration Experience*, 48 HARVARD C.R.—C.L. L. REV. 257 (2013).

⁷¹ Kathy McLachlan, *Trauma-informed Sentencing in South Australian Courts*, 55 J. OF CRIM. 495, 496 (2022).

⁷² Miriam S. Gohara, *In Defense of the Injured: How Trauma-Informed Criminal Defense Can Reform Sentencing*, 45 AM. J. CRIM. L. 1, 2 (2018).

⁷³ *Id.* at 5.

⁷⁴ Knuckey et al., *supra* note 23, at 269.

⁷⁵ *Id.*

⁷⁶ Baker et al., *supra* note 26, at 293-304.

Psychiatric Association, “witnessing traumatic events on screens poses mental health risks.”⁷⁷ Such investigations can be incredibly difficult and involve incredibly graphic content.⁷⁸

However, as lawyering is inherently about the relationships between people and how we regulate them, there is no practice unaffected and no practice that would not be improved by a trauma-informed practice. Consider here the role of the judge. From the judicial perspective, a trauma-informed approach may be centered on the courtroom. Research highlights five elements of what judges perceive to add to a “trauma-informed courtroom”:⁷⁹ the judge’s demeanor and behavior, the prioritization of treatment, slowing down the judicial process, changing the court environment, and involving all actors in the courtroom in becoming trauma-informed.⁸⁰ Some analysis has indicated that, in Australia, judges don’t always recognize the link between trauma and criminal behavior, even though they realize “trauma was present in the lives of many defendants.”⁸¹ This suggests the importance of recognition of trauma in the sentences that judges hand out, regardless of area of law. Others have called for a trauma-informed approach from judges, with the aim to readjust power differentials in the courtroom and for “non-adversarial approaches to cases.”⁸²

The goal of the legal system is not to address or heal the trauma individuals may carry.⁸³ However, in undertaking this pursuit, law can adopt measures for harm reduction and, at the very least, strive not to re-traumatize individuals during their interactions with the system. This facilitates a more effective and sustainable pursuit of justice: “[f]or many people who interact with the legal system, their interaction with

⁷⁷ *Id.* at 294 (citing DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS 61 (5th ed., 2013)).

⁷⁸ *Id.* at 300. A 2015 study of human rights workers found that 19.4% of respondents met post-traumatic stress disorder (PTSD) criteria, 18.8% met subthreshold PTSD criteria, and 14.7% met criteria for probable major depression. Amy Joscelyne et al., *Mental health functioning in the human rights field: Findings from an international internet-based survey*, 10 PLOS ONE I (2015). In 2017, a paper published by the University of York found that 86% of human rights defenders at risk were “somewhat concerned” or “very concerned” about their “mental and emotional wellbeing.” See Nah, *supra* note 22, at 1. In another 2015 study assessing the effects of traumatic content on the mental health of human rights workers and journalists, it was found that 44% of human rights respondents reported high or very high personal adverse effects, and 25% reported high or very high professional adverse effects. See Baker, *supra* note 26, at 293-304.

⁷⁹ McKinsey et al., *supra* note 26, at 40.

⁸⁰ *Id.* at 40-41.

⁸¹ McLachlan, *supra* note 71, at 495.

⁸² Nicole McKenna & Kristy Holtfreter, *Trauma-Informed Courts: A Review and Integration of Justice Perspectives and Gender Responsiveness*, 30 J. OF AGGRESSION, MALTREATMENT & TRAUMA 450, 453 (2021).

⁸³ See, e.g., HIMMA, *supra* note 3 (describing the law’s conceptual function as to “keep the peace” by regulating behavior).

the legal system itself represents an event that overwhelms their ability to cope, and over which they have little, if any, control, and may be traumatic in and of itself.”⁸⁴ In creating a more trauma-informed legal system, all of those who engage in it can participate in more intentional, sustainable, and effective ways.⁸⁵ Teaching a trauma-informed approach to lawyering in law school helps to alleviate these issues, as was our goal with the Reading Group. A trauma-led methodology provides one means of reshaping the existing parameters individuals must navigate when grappling with the legal system, whatever role that may be in.⁸⁶

C. Trauma-informed Lawyering

Being trauma-informed is “[being] educated about the impact of interpersonal violence and victimization on an individual’s life and development.”⁸⁷ A practice is considered trauma-informed when the practitioner prioritizes the client’s trauma experiences while interacting with them; when they adjust their approach based on the individual client’s unique trauma history; and involves the practitioner using self-care strategies to mitigate the impact that the client’s trauma may have on them.⁸⁸ Trauma-informed practices focus on how services are delivered, and how service-systems are organized.⁸⁹ It helps the practitioner to understand a person’s behavior and how their actions and decisions are connected to their trauma, “rather than isolating their actions to the current circumstances and assuming a character flaw.”⁹⁰

For the practice of lawyering, the American Bar Association denotes a two-fold process of establishing a trauma-informed practice: firstly, preventing retraumatization; and secondly, protecting a lawyer’s health and well-being from vicarious trauma.⁹¹ We use this bifurcated model to explore the practice of trauma-informed lawyering.

⁸⁴ Negar Katirai, *Retraumatized in Court*, 62 ARIZ. L. REV 81, 88-89 (2020) (explaining re-traumatization, also known as secondary victimization, as “the experience of survivors who encounter ‘victim-blaming attitudes, behaviors, and practices’ from service providers and institutions ‘which result in additional trauma.’”)

⁸⁵ See, e.g., Hardtke, *supra* note 16; McKenna & Holtfreter, *supra* note 82 (on courts); McKinsey et al., *supra* note 26 (on judges); Porterfield, *supra* note 4 (on interviewing attorneys).

⁸⁶ See generally Porterfield, *supra* note 4.

⁸⁷ Howlett & Sharp, *supra* note 16.

⁸⁸ Katz & Haldar, *supra* note 6, at 359.

⁸⁹ *Id.* at 363 (citing Sandra L. Bloom, *The Sanctuary Model of Trauma-Informed Organizational Change*, 16 THE SOURCE 12, 14 (2007), <https://sandrabloom.com/wp-content/uploads/2007-BLOOM-SANCTUARY-MODEL-VINITA-AND-INTER-IM-HOUSEThe-Source-Articles-Sanctuary.pdf>).

⁹⁰ Sandra L. Bloom, *Why Should Philadelphia Become a Trauma-Informed City*, SANCTUARY WEB (2015) (on file with authors).

⁹¹ Howlett & Sharp, *supra* note 16.

1. Avoiding Retraumatization

Lawyers can play a critical role in mitigating the risk of a client reexperiencing their trauma—otherwise known as retraumatization. The practice of law goes beyond simply handling legal cases; it involves actively guiding “clients through a system that is often foreign to them, often while they are still deep within the throes of whatever traumatic situation brought them to the courthouse.”⁹² This process requires a nuanced understanding of both the legal system and the emotional impact it can have on individuals, including retraumatization.⁹³

To explain how lawyers can avoid retraumatizing their clients, Dr. Kate Porterfield presents a framework to help guide lawyers to recognize the symptoms of trauma that “make it difficult for [clients/partners] to fully utilize their lawyer’s knowledge, skills, and services.”⁹⁴ The framework seeks to mitigate the retraumatization of the people who lawyers work with and details how the legal processes can trigger and retraumatize. For Dr. Porterfield, creating a “trauma-informed dynamic” means a situation where “the client’s experiences, reactions, and opinions are paramount.”⁹⁵ She provides a trauma-informed frame for communicating with clients based on *safety*, *control*, *reflection*, and *closure*. Each element explores how lawyers can shift power and provide agency to the individual that the lawyer is working with and provides a “conceptual approach” to that relationship.⁹⁶ The framework also works to explain, inversely, the risks of retraumatization.⁹⁷

In Dr. Porterfield’s scheme, *safety* helps clients to understand what is happening to them and around them.⁹⁸ Without *safety*, the interaction with their lawyer can make it difficult or even impossible to communicate properly and effectively.⁹⁹ Simple things, such as not acknowledging the client’s physical space for a meeting, can generate significant gaps and mistakes in the information-gathering process.¹⁰⁰ Lawyers who do

⁹² Hardtke, *supra* note 16.

⁹³ See, e.g., Porterfield, *supra* note 4, at 68 (“Client-centered legal work requires a recognition from the lawyer that the person in front of him/her/them, seeking or utilizing their services, has an entire life history and an array of reactions and feelings that may impact that person’s ability to work with an attorney”); Hardtke, *supra* note 16, at 20 (“lawyers must recognize trauma’s existence and symptoms, be present, offer choices, and share knowledge.”).

⁹⁴ Hardtke, *supra* note 16.

⁹⁵ Porterfield, *supra* note 4, at 76.

⁹⁶ *Id.* at 68.

⁹⁷ See *id.*

⁹⁸ *Id.* at 69-71.

⁹⁹ *Id.* at 69-70 (describing how without safety, survivors may “shut-down” or dissociate “a lawyering may ‘push’ the client to answer, inadvertently exacerbating the client’s sense of danger and threat, thereby derailing their communication.”).

¹⁰⁰ *Id.* at 70 (describing how acknowledging the physical space can provide safety-enhancing communication).

not explain what will happen in the meeting deprive the client of a clear sense of what to expect, which increases uncertainty and anxiety.¹⁰¹

Control refers to reinforcing the client's ability to participate actively in the legal process.¹⁰² For someone who has experienced trauma, the loss of power during the traumatic episode can be mirrored in dynamics with others. *Control* provides gestures that contribute to the client's sense of control: for example, asking for permission to move from one topic to another or asking for feedback throughout the meeting.¹⁰³ Dismissing these trauma-informed tools can lead to a defensive reaction or a shutdown and impede the lawyer from getting relevant information to the case.¹⁰⁴

One of the most forceful tools for communication with trauma survivors is to make them feel heard, respected and understood. *Reflection back* on what is said, without interpretation, analysis, or disagreement, can contribute to creating a sense of empowerment and validation.¹⁰⁵ As Porterfield describes, "[f]or clients who have suffered experiences of powerlessness, persecution, and erasure, this kind of communication is essential to lay the groundwork for a constructive professional relationship."¹⁰⁶

Closure recognizes that conversations with lawyers can trigger intense memories in traumatized clients, which can lead to strong physical and emotional reactions.¹⁰⁷ Because of this, *closure* can avoid leaving a client "exposed and distressed" after a meeting.¹⁰⁸ To do this, lawyers can avoid ending meetings abruptly, ask for feedback on the conversation, and help a client prepare for the next steps.¹⁰⁹

2. *Mitigating Vicarious Trauma*

Trauma-informed lawyering asks lawyers to shift the lens not just to their client's trauma, but also to their own risks of trauma through the work they do. Inadequate handling of trauma in legal practice can directly affect lawyers themselves.¹¹⁰ Lawyers who engage empathically

¹⁰¹ *Id.* at 71 (advising lawyers to explain what will happen in the meeting and the role of the lawyer in detail to the client).

¹⁰² *Id.* at 72.

¹⁰³ *Id.* (describing ways to enhance the client's control of the situation).

¹⁰⁴ *Id.* (a "barrage of questions can feel overwhelming and can lead to a defensive reaction of shutting down").

¹⁰⁵ *Id.* at 74.

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.* at 74 – 76.

¹¹⁰ Silver et al., *supra* note 14, at 857 (describing how stress and depression are of particular concern to lawyers. "For those of you who work compassionately with people who experience trauma, you are at risk of this particular occupational hazard.").

and with compassion with clients who have experienced trauma are at risk of a version of what their traumatized clients experience: vicarious trauma.¹¹¹

Vicarious trauma, also known as secondary trauma, does not have a universally accepted definition. It refers to the emotional and psychological effects that can arise from being “exposed to the graphic details of another person’s traumatic experience.”¹¹² This phenomenon is often associated with “compassion fatigue,” which is one of the symptoms of vicarious trauma that highlights the impact that working with trauma survivors can have on those who provide them with support and assistance.¹¹³ Vicarious trauma can also arise from the handling of traumatic materials, such as graphic imagery, videos, or text.¹¹⁴ The effect can manifest in different ways, including:

denial of clients’ trauma, over-identification with clients, no time and energy for oneself, feelings of great vulnerability, experiencing insignificant daily events as threatening, feelings of alienation, social withdrawal, disconnection from loved ones, loss of confidence that good is still possible in the world, generalized despair and hopelessness, loss of feeling secure, increased sensitivity to violence, cynicism, feeling disillusioned by humanity, disrupted frame of reference, changes in identity, world view, and spirituality, diminished self-capacities, impaired ego resources, and alterations in sensory experiences.¹¹⁵

Vicarious trauma can cause a wide variety of effects. Some of these directly affect the lawyer’s personal life and health, such as severe stress, anxiety, anger, insomnia, feelings of great vulnerability, “experiencing insignificant daily events as threatening,” generalized despair and hopelessness, and diminished self-capacities, to name a few.¹¹⁶ Other symptoms of vicarious trauma directly jeopardize the lawyer’s effectiveness

¹¹¹ Silver et al., *supra* note 14, at 854.

¹¹² Baker, *supra* note 26, at 294 (“secondary trauma refers to a range of trauma-related stress reactions and symptoms that may result from exposure to graphic details of another individual’s traumatic experience”); Silver et al., *supra* note 14, at 859 (describing how people working in human rights or capital punishment “become experts in the very thing they are fighting... [but] that window of empathy will give you a view screen of only pain.”).

¹¹³ Katz & Haldar, *supra* note 6, at 367-368 (citing American Counseling Association, *Vicarious Trauma Fact Sheet #9*, CRISIS SUPPORT (Apr. 2015), https://web.archive.org/web/20151011224630/https://www.crisissupport.org/wp-content/uploads/2015/04/vicarious-trauma_fact_sheet_.pdf).

¹¹⁴ See, e.g., Baker et al., *supra* note 26, at 294.

¹¹⁵ Katz & Haldar, *supra* note 6, at 369 (citing Christian Pross, *Burnout, Vicarious Traumatization And Its Prevention*, 16 TORTURE 1, 1 (2006)).

¹¹⁶ See, e.g., Katz & Haldar, *supra* note 6, at 369; Office on Violence Against Women, *The Importance of Understanding Trauma-informed Care and Self-Care for Victim Service*

and ability to do their jobs well,¹¹⁷ such as denial of clients' trauma or over-identifying with clients.¹¹⁸ Vicarious trauma usually manifests in two ways: either to overwhelm lawyers or shut down lawyers.¹¹⁹ The lack of a trauma-informed practice that addresses vicarious trauma increases the likelihood for lawyers to suffer these symptoms, directly affecting their effectiveness, work quality, and, in the end, the actual possibility of really helping their clients. Vicarious trauma increases the likelihood that lawyers will run afoul of both written and unwritten rules of professional responsibility,¹²⁰ and may also contribute to fatigued practitioners leaving the profession.¹²¹

Vicarious trauma is present at higher levels among the legal profession than amongst mental health professionals.¹²² A possible explanation for this phenomenon is that, in contrast with mental health professionals, lawyers do not receive foundational education about the effects of trauma in themselves.¹²³ Scholars have noticed something qualitatively different in lawyers' depression compared to depression in other professions—often, responses to confronting issues are “this is just the way it is” or “this is the way business works,” which may respond to the business pressures of lawyering, the pressure for billable hours, or the experience of having to deal daily with the expectations and demands of clients.¹²⁴ Another example comes from the human rights field—human rights advocates tend to deprioritize their own wellbeing “in the pursuit of the rights of others.”¹²⁵ Many human rights practitioners perceive that they are “expected to sacrifice their own time and wellbeing, and to prioritize the needs of the... human rights cause above themselves.”¹²⁶ The pervasive and structural underpayment of human rights practitioners also contributes to poor wellbeing: whether this is financial insecurity, short-term funding, or the need to spend personal money on security.¹²⁷ Further, human rights

Providers, U.S. DEPT OF JUST. (Apr. 27, 2017), <https://www.justice.gov/archives/ovw/blog/importance-understanding-trauma-informed-care-and-self-care-victim-service-providers>.

¹¹⁷ Office on Violence Against Women, *supra* note 116.

¹¹⁸ Katz & Haldar, *supra* note 6, at 369.

¹¹⁹ Silver et al., *supra* note 14, at 861.

¹²⁰ Kenneth Townsend, *Ethics and Professional Responsibility: What Lawyers Should Know and Trauma-Informed Lawyering as a Legal Competency*, in *TRAUMA-INFORMED LAW* 76-77 (Helgi Maki et al. eds., 2023).

¹²¹ Office on Violence Against Women, *supra* note 116.

¹²² Katz & Haldar, *supra* note 6, at 382.

¹²³ *Id.*

¹²⁴ Silver et al., *supra* note 14, at 855-856.

¹²⁵ Knuckey et al., *supra* note 23.

¹²⁶ Knuckey et al., *supra* note 23, at 274 (citing JANE BARRY & JELENA DJORDJEVIC, *WHAT'S THE POINT OF REVOLUTION IF WE CAN'T DANCE?* (2008)).

¹²⁷ Nah, *supra* note 22, at 3.

organizations themselves have been “slow to recognize the risk of secondary trauma.”¹²⁸

Considering this, some scholars consider the trauma-informed approach as an ethical duty, as otherwise, lawyers may be unable to perform their important work.¹²⁹

D. *The Importance of a Trauma-informed Lawyering Approach*

Alejo Rodriguez has described trauma-informed lawyering as “a practice in awareness, not an awareness of a practice.”¹³⁰ Trauma-informed lawyering is not simply a checklist approach to legal practice. Instead, it is a participatory method that influences how lawyers collaborate with others.¹³¹ It emphasizes the importance of knowing how trauma can impact a lawyer’s work. When lawyers handle cases involving trauma and individuals who have experienced it, they must adjust their approach to meet both the client and themselves in a manner that is emotionally intelligent and psychologically informed.¹³² Many scholars and practitioners have highlighted areas of law that necessitate a trauma-informed approach, such as probate,¹³³ domestic violence,¹³⁴ immigration law,¹³⁵ and family law.¹³⁶ But the need for trauma-informed lawyering doesn’t stop at public interest law.

¹²⁸ Baker et al., *supra* note 26, at 293.

¹²⁹ Silver et al., *supra* note 14, at 854.

¹³⁰ Alejo Rodriguez, *supra* note 2.

¹³¹ Helgi Maki, *Introduction: Legal Practice and Trauma*, TRAUMA-INFORMED LAW 63 (Helgi Maki et al. eds., 2023).

¹³² *Id.*

¹³³ Kelly McGrath, *When Unawareness Increases Pain: Why Probate Attorneys and Staff Need Trauma Training*, TRAUMA-INFORMED LAW 66 (Helgi Maki et al. eds., 2023).

¹³⁴ See, e.g., NAT’L CTR. ON DOMESTIC VIOLENCE, *supra* note 26; Jane M. Wangmann, et al., *What is ‘good’ domestic violence lawyering?: views from specialist legal services in Australia*, 37 INT. J. L. POL’Y & FAM. (Jan. 2023); Deborah Epstein & Lisa Goodman, *Discounting Women: Doubting Domestic Violence Survivors’ Credibility and Dismissing Their Experiences*, 167 U. PENN. L. REV. 399 (2019); Annie S. Lemoine, *Good Storytelling: A Trauma-Informed Approach to the Preparation of Domestic Violence-Related Asylum Claims*, 19 LOY. J. PUB. INT. L. 27 (2017).

¹³⁵ Ann E. Webb et al., *Trauma-Informed Lawyering in The Asylum Process: Engagement and Practice in Immigration Law*, 4 J MENT HEALTH SOC BEHAV., 171, 171 (2022); Kate Aschenbrenner, *Ripples Against the Other Shore: The Impact of Trauma Exposure on the Immigration Process through Adjudicators*, 19 MICH. J. RACE & L. 53 (2013); Lemoine, *supra* note 134; Krisztina Szabo, et al., *Advocate’s and Attorney’s Tool for Developing a Survivor’s Story: Trauma Informed Approach*, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (2023), <https://niwaplibrary.wcl.american.edu/wp-content/uploads/2015/pdf/TRAUM-Qref-AdvocatesToolDevelopingSurvivorStory-7.10.17.pdf>; Mary Ann Dutton, et al., *Trauma Informed Structured Interview Questionnaires for Immigration Cases (SIQI)*, NAT’L IMMIGRANT WOMEN’S ADVOC. PROJECT (Apr. 27, 2023), <https://niwaplibrary.wcl.american.edu/wp-content/uploads/SIQI-Update-7.23.24-1.pdf>.

¹³⁶ Sarah Katz, *We Need to Talk About Trauma: Integrating Trauma-Informed Practice Into The Family Law Classroom*, 60 FAM. CT. REV., 757, 758 (2022); Sarah Katz, *Trauma-Informed*

Take technology law. Legal practice involving intellectual property and information policy law may appear to be a ‘neutral,’ uncomplicated area of practice, void of trauma or lacking a need for a trauma-informed methodology.¹³⁷ In fact, intellectual property and copyright mechanisms have been, and continue to be, implemented to take down non-consensual intimate imagery;¹³⁸ tech lawyers grapple with how to combat deepfakes both legally and at a policy level; they engage with the ways that Internet of Things devices are used to perpetrate intimate partner violence; and they engage with cyberlaws, such as the Computer Fraud and Abuse Act, that have failed to protect women and girls from harassment and abuse.¹³⁹ Similar dynamics arise in emerging areas such as artificial intelligence; a lawyer advising on the deployment of smart-home devices may confront situations in which those technologies are used as tools of coercive control in intimate partner violence.¹⁴⁰ Likewise, counsel working on deepfake regulation or platform moderation policies must engage with the psychological harm inflicted by deepfake sexual images and online harassment, harms that are often minimized within doctrinal or policy-oriented legal frameworks.¹⁴¹ A trauma-informed approach to this area is necessary to ensure a sustainable, ethical practice.¹⁴²

Those working in corporate positions will—clearly—interact with individuals throughout their work and even take on pro-bono cases which may grapple with difficult, traumatic topics. Consider also how a corporate lawyer may be advising a young business owner on how to grow their business; another may be processing the bankruptcy of a small business owner; another may be working on a deal they consider to be ethically fraught. As Jane Aiken observes, “[t]here is no such thing

Practice: The Future of Child Welfare, 28 WIDENER COMMW. L. REV. 51 (2019); Janice Beller, *Understanding Trauma beyond the Numbers: Integrating Trauma-Informed Practices in Family, Child Protection, and Juvenile Law*, 66 ADVOCATE 14 (2023).

¹³⁷ Anecdotally, many of Rhiannon’s students in the Intellectual Property and Information Policy legal clinic at Georgetown Law School mention this as being the very reason for choosing this area of practice.

¹³⁸ Amanda Levendowski, Note, *Using Copyright to Combat Revenge Porn*, 3 N.Y.U. J. INTELL. PROP. & ENT. L. 422, 426 (2014).

¹³⁹ See, e.g., Amanda Levendowski, *Defragging Feminist Cyberlaw*, 38 BERKELEY J. L. TECH. 857-863 (2023). See generally *United States v. Valle*, 807 F.3d 508 (2d Cir. 2015); *Van Buren v. United States*, 141 S. Ct. 1648 (2021).

¹⁴⁰ See generally EDVAW Platform, *Online and technology-facilitated violence against women and girls*, U.N. OFF. OF HIGH COMM’R FOR HUM. RTS., <https://www.ohchr.org/en/edvaw/online-and-technology-facilitated-violence-against-women-and-girls>.

¹⁴¹ *Id.*

¹⁴² Rhiannon works with her students throughout the semester to incorporate trauma-informed lawyering principles into their clinical practice, which has been cited by students as something they have incorporated into their work and has helped them to handle the more troubling areas of tech law.

as neutrality; everything has just or unjust effects.”¹⁴³ She explains how “[e]verything a lawyer does has to do with justice or injustice, sometimes on the surface and sometimes in the background.”¹⁴⁴ These examples illustrate that even ostensibly corporate, technical or ‘neutral’ legal work may intersect with trauma, underscoring the need for trauma-informed competencies across legal practice.

For Aiken, the fact that the law is imbued with justice issues necessitates the preparation of law students to “identify injustice when they see it and develop the skills and strategic thinking to remedy it.”¹⁴⁵ She calls for students to be not only practice ready upon graduation, but “justice ready,” or in other words, having an awareness of “injustice and commit[ing] to fighting it in their legal careers.”¹⁴⁶ She calls for clinical faculty to incorporate a justice readiness into their teaching.¹⁴⁷ We go one step further to recognize its importance far beyond the clinic.

Trauma-informed lawyering can help lawyers to provide “more effective representation” by being able to “identify trauma... [and] adjust their methods of counselling and representation to incorporate an understanding of their clients’ trauma history.”¹⁴⁸ Katz & Haldar describe how a trauma-informed approach, “with its emphasis on the effects of prior trauma, persuades [law] students to look at what the client may be seeking from the representation, and to consider whether the litigation process will achieve that goal, or whether that goal is best achieved by non-legal methods.”¹⁴⁹ It transitions a lawyer’s approach from only an “intellectual” one, that which is the method taught in law schools, to a “biopsychosocial” one.¹⁵⁰ It also brings an awareness of the retraumatization that can take place in attorneys, meaning individuals, organizations, and systems of lawyering can be shaped by these needs and incorporate sustainable practices.¹⁵¹ These skills strengthen a student’s justice readiness by incorporating new entry points to understand injustice.

Trauma-informed lawyering does not require nor expect lawyers to become social workers or psychologists.¹⁵² A trauma-informed practice

¹⁴³ Jane Aiken, *The Clinical Mission of Justice Readiness*, 32 B.C. J. OF L & SOC. CHANGE 231, 231 (2012).

¹⁴⁴ *Id.* at 233.

¹⁴⁵ *Id.* at 232.

¹⁴⁶ *Id.* at 233.

¹⁴⁷ *Id.* at 231.

¹⁴⁸ Katz & Haldar, *supra* note 6, at 371.

¹⁴⁹ *Id.* at 376.

¹⁵⁰ Maki, *supra* note 131, at 32.

¹⁵¹ Katz & Haldar, *supra* note 6, at 371.

¹⁵² Anne L. Ganley, *Attorney’s Handbook on Domestic Violence Representation*, NAT’L CTR. ON DOMESTIC VIOLENCE, TRAUMA & MENTAL HEALTH 1, 13 (2012), <https://ncdvtmh.org/wp-content/uploads/2022/10/AttorneyHandbookMay282012.pdf> (“Even the most seasoned domestic violence lawyers cannot know all there is to know about mental health issues facing survivors. Nor can attorneys take on the role of mental health professionals.”).

recognizes that lawyers are trained to be lawyers and encompasses what lawyers can do that does not interfere with their need to apply the law.¹⁵³ It is an awareness, a practice, and a methodology that can work for all legal disciplines.

II. LEGAL EDUCATION AND TRAUMA-INFORMED LAWYERING

Section I established the theoretical, practical, and ethical foundations of trauma-informed lawyering, emphasizing its relevance across all areas of legal practice and its potential to transform attorney-client relationships, courtroom dynamics, the well-being of legal professionals, as well as function as a method for social change. Having laid out why a trauma-informed approach is essential for competent, ethical, and sustainable lawyering, this Section turns to the structural gap we have identified in legal education.¹⁵⁴ Despite the growing recognition of trauma's pervasive impact on legal processes and actors, this Section argues that law schools continue to treat trauma-informed lawyering as optional or limited to clinical teaching. While Section I explained what trauma-informed lawyering is and why it matters, this Section explores where and how legal education has incorporated it, and it examines the profound consequences of any failure to do so. Fundamentally, this Section explores how the authors of this Article designed a reading group on trauma-informed lawyering to fill this gap.

This Section is divided into three parts. Part A examines the current state of trauma-informed legal education, and documents how, if taught at all, such an education is confined to optional clinical experiences or otherwise treated as an ancillary skill rather than a foundational

¹⁵³ *Id.*

¹⁵⁴ This section is also relevant to the ongoing debates concerning the American Bar Association's proposed changes to learning requirements that would require more hands-on training for law students. The original plan doubled the number of credits from experiential learning that law students would be required to take before graduating. The plan has brought about a split in the legal profession, with some professors celebrating the proposals and others panning them. The vote on the proposals was delayed in August 2025 following strong opposition to the changes. Nonetheless, the proposals indicate potential changes in the future that would require law students to take additional experiential classes. The reading group explored in this Article would provide one (low-cost) way of building additional methodological options for students within the wider curriculum. See Karen Sloan, *Law pros applaud, and pan, ABA's delay on hands-on learning requirement*, REUTERS (Aug. 25, 2025), <https://www.reuters.com/legal/legalindustry/law-profs-applaud-pan-abas-delay-hands-on-learning-requirement-2025-08-25/>; Julianne Hill, *ABA Legal Ed council proposal to increase experiential learning credit requirement faces pushback*, ABA J. (Jul. 17, 2025), <https://www.abajournal.com/web/article/proposal-to-double-experiential-learning-credits-faces-pushback-from-law-deans>; *ABA Revises Experiential Learning Proposal Amid Pushback from Law School Deans*, LEGAL.IO (Aug. 19, 2025), <https://www.legal.io/articles/5716104/ABA-Revises-Experiential-Learning-Proposal-Amid-Pushback-From-Law-School-Deans>.

professional ethic. Part B details the steps the authors took to establish the Reading Group on trauma-informed lawyering, available to those outside of the clinic space. Part C outlines fundamental principles that we learned through establishing the Reading Group on trauma-informed lawyering.

Together, these three parts underscore the urgent need to reimagine legal education to reflect the human realities of lawyering, to incorporate courses such as our reading group into curricula, to equip future lawyers with the tools to engage in their work with empathy, effectiveness, and sustainability, and to reimagine legal education as a tool for positive change.

A. *A Limited Approach Thus Far*

While there have been recent developments and opportunities for an education in trauma-informed lawyering in some schools, these experiences are limited, unevenly distributed, and often optional.¹⁵⁵ This has not gone unnoticed. Law schools have “long been criticized for inadequately addressing trauma and its effects and for failing to prepare law students to consider psychological and emotional responses to lawyering.”¹⁵⁶

Traditionally, lawyers are trained to separate emotions from the law to analyze and resolve legal problems efficiently.¹⁵⁷ In fact, a fiction surrounding legal education concerns the notion that “emotion has little to do with law.”¹⁵⁸ Therefore, trauma-informed lawyering is a relatively modern incorporation of U.S. legal education, which began and remains, for the most part, in law school clinics. Law clinics were established and developed between 1920 and 1930, but they did not take hold in law schools until 1960 and 1970.¹⁵⁹ Initially, law clinics were established to provide legal services to low-income clients.¹⁶⁰ Law clinics have since grown to become an essential tool for law students, providing them with

¹⁵⁵ Harris & Mellinger, *supra* note 17, at 801; Kaur, *supra* note 17, at 115–16; Stringfellow Otey, *supra* note 17, at 150.

¹⁵⁶ Katz, *supra* note 136, at 759 (citing Angela Lindsay & Hillary Mellinger, *Asylum Attorney Burnout and Secondary Trauma*, 56 WAKE FOREST L. REV. 733, 801 (2021)).

¹⁵⁷ Katz & Haldar, *supra* note 6, at 371.

¹⁵⁸ Katz, *supra* note 136, at 759 (citing Andrew J. Wistrich, Jeffrey J. Rachlinski & Chris Guthrie, *Heart Versus Head: Do Judges Follow the Law or Follow Their Feelings?*, 93 TEXAS L. REV. 855 (2015)).

¹⁵⁹ Katz & Haldar, *supra* note 6, at 373.

¹⁶⁰ There was once a debate as to whether the legal clinic’s purpose was primarily service or teaching, however, this progressed into an understanding that the purpose was simply both. See Aiken, *supra* note 143, at 232 (citing Stephen Wizner & Jane Aiken, *Teaching and Doing: The Role of Law School Clinics in Enhancing Access to Justice*, 73 FORDHAM L. REV. 997, 999 (2004)).

exposure to reality and the legal system's limitations, and teaching them both the skills and 'justice readiness' to do so.¹⁶¹

Law clinics emphasize teaching social justice values, a client-centered approach, and acquiring practical skills.¹⁶² For this reason, they emerged as a natural venue for exploring trauma-informed lawyering. Trauma-informed lawyering reinforces clinical legal education's emphasis on teaching social justice principles and client-centered lawyering.¹⁶³ This is reflected in how trauma-informed methodologies have been incorporated into clinics across the clinical teaching spectrum, such as family law, immigration, human rights, criminal law, juvenile law, and veterans' rights clinics.¹⁶⁴ It also counterbalances how "attorneys are trained to separate emotions from the law in order to competently analyze legal problems."¹⁶⁵

Law school clinics are valuable places to pilot and refine trauma-informed lawyering, focusing on reflective practice and teaching law students' critical practical skills for their careers.¹⁶⁶ Many scholars focus their analysis on the legal clinic as a nexus for pedagogical and justice-oriented change.¹⁶⁷ Yet, as demonstrated above, trauma is an element undeniably present in the practice of law even outside of clinical teaching's purview.¹⁶⁸ The traditional methods of legal pedagogy outside of clinical education do not consider the skills lawyers need to meet to their client's specific needs.¹⁶⁹ Absent deliberate curricular reform, law schools will continue to leave graduating lawyers insufficiently prepared to navigate the pervasive psychological dimensions of legal advocacy. If trauma-informed practice were to be introduced earlier into a lawyer's education, law students will be better equipped to handle the realities of legal practice.¹⁷⁰

It is far less common, for example, to have trauma-informed lawyering incorporated into doctrinal classes or traditional legal skills workshops, whether mandatory or not.¹⁷¹ Others have also identified spaces outside of the clinical setting that would be ripe for trauma-informed

¹⁶¹ Katz & Haldar, *supra* note 6, at 373 (2016); Aiken, *supra* note 143, at 232 (regarding justice-readiness).

¹⁶² Katz & Haldar, *supra* note 6, at 372.

¹⁶³ *Id.* at 373.

¹⁶⁴ Angela P. Harris & Monika B. Kashyap, *From Trauma to Transformation: Trauma-Informed Pedagogy in Law School*, 27 U. PA. J.L. & SOC. CHANGE 1, 3 (2023).

¹⁶⁵ Katz & Haldar, *supra* note 6, at 371 (citing Lynette M. Parker, *Increasing Law Students' Effectiveness When Representing Traumatized Clients: A Case Study of the Katherine & George Alexander Community Law Center*, 21 GEO. IMMIGR. L.J. 163 (2007)).

¹⁶⁶ Katz & Haldar, *supra* note 6, at 372-373.

¹⁶⁷ See, e.g., Aiken, *supra* note 143.

¹⁶⁸ See *supra* Section I.

¹⁶⁹ *Id.*

¹⁷⁰ Katz, *supra* note 136, at 761.

¹⁷¹ *Id.* at 762.

teaching.¹⁷² One example is within the family law classroom, where students learn traditional lawyering skills such as interviewing alongside the doctrinal content of family law. Emphasizing how trauma is “baked in” to family law practice, Katz argues that trauma and trauma-informed practice should be interwoven into doctrinal family law classes in law school.¹⁷³

Katz identifies different pedagogical examples for how to do this within a family law classroom: using reading to introduce students to the basics of identifying trauma; using videos to show how trauma impacts the brain; incorporating the identification of trauma into the reading of reported cases; using roleplays to demonstrate how trauma may present; or building a client’s trauma history into a hypothetical fact scenario.¹⁷⁴ These suggestions could easily go beyond the family law classroom and simultaneously demonstrate the importance of incorporating such skills into spaces outside of the clinic environment.

In our own experiences as law students, practitioners, and legal educators, we found that trauma-informed practices were almost entirely absent from the mainstream curriculum—sometimes even from clinical syllabi.¹⁷⁵ This means that many law students, even those deeply committed to public interest or client-centered work, graduate without ever learning how trauma shapes the attorney-client relationship, courtroom dynamics, or their own well-being.

The continued marginalization of trauma-informed lawyering as an “add-on” to traditional pedagogy sustains a vision of the legal profession that is emotionally detached, adversarial, and disconnected from the lived realities of those it purports to serve. It reinforces outdated paradigms of the lawyer as a neutral technician rather than as a relational actor embedded in structures of power and harm.¹⁷⁶ Trauma-informed legal education teaches students to recognize the effects that traumatic experiences may have on their client’s actions and behaviors and to identify the impacts that these traumatic stories are having on their own lives.¹⁷⁷

¹⁷² See, e.g., Natalie Netzel, *Trauma-Informed (as a Matter of) Course*, 31 AM. U. J. GENDER SOC. POL’Y & L. 383 (2023).

¹⁷³ Katz, *supra* note 136, at 771.

¹⁷⁴ *Id.* at 771-772.

¹⁷⁵ We are grateful for the discussions one of our authors had with clinical faculty at the TechClinic Camp Workshop. These discussions identified how very few clinics outside of the traditional human rights, immigration, and criminal law clinics incorporate trauma-informed lawyering as a general practice. Instead, many may incorporate readings and discussions on an ad-hoc basis, such as if there was a particular concern with a client, project or student.

¹⁷⁶ Katz & Haldar, *supra* note 6, at 359; Rosenberg, *supra* note 3, at 1226 (“Unfortunately, however, we do not teach people how to use these skills in the contexts where they are most needed - in interactions and relationships with colleagues, opposing counsel, clients and decision-makers”); Wiesner, *supra* note 8, at 586.

¹⁷⁷ Katz & Haldar, *supra* note 6, at 359.

Finally, law schools serve as the primary incubator of professional norms and competencies, embedding trauma-informed practices in the curriculum ensures that graduates enter practice equipped to meet their ethical obligations and to protect both client welfare and their own well-being from the very outset of their careers.¹⁷⁸ Trauma-informed lawyering encompasses a group of skills that are not always cognizable by a rules-oriented legal culture.¹⁷⁹ However, some advocates have observed how trauma-informed lawyering may work in support of lawyers' Rule 1.1 of the Model Rules of Professional Conduct obligations—the 2017 American Bar Association Report titled “The Path Lawyer Well-Being Report” has recommended amending Rule 1.1 to “include language. . . which defines “competence” to include the mental, emotional, and physical ability reasonably necessary for the representation.”¹⁸⁰ From a legal ethics perspective, trauma-informed lawyering is crucial in the exercise of the profession and a pedagogical tool in understanding legal ethics.¹⁸¹

B. The Reading Group on Trauma-informed Lawyering

Drawing from our experience designing and facilitating a trauma-informed lawyering reading group at Columbia Law School (CLS), this Part outlines a concrete model for introducing trauma-informed pedagogy into legal education. Although structured as a “reading group,” the initiative occupied a space between an informal discussion group and a traditional law school course. Approved by the law school, supervised by faculty, and offered for one academic credit on a pass/fail basis, the Group combined structured readings, guided discussions, and guest speakers across a limited number of class sessions.¹⁸² We do not present the Reading Group as a comprehensive solution, but rather as a starting point: a space to cultivate awareness, develop foundational skills, and begin building a professional culture that takes trauma and empathy seriously. In doing so, we offer both a practical intervention and a broader vision for curricular reform.¹⁸³

¹⁷⁸ Townsend, *supra* note 120, at 76-77.

¹⁷⁹ Polikoff, *supra* note 8; Gerdy, *supra* note 8, at 15-17.

¹⁸⁰ Townsend, *supra* note 120, at 76-77.

¹⁸¹ *Id.*

¹⁸² See *infra* Example Syllabus, Appendix C.

¹⁸³ Our own paths illustrate both the need and the opportunity for change. Although we hail from Argentina, Chile, Mexico, and the United Kingdom, and our legal training and professional experiences vary widely, we discovered at Columbia Law School a shared commitment to supporting people who have endured profound harm: incarcerated individuals, survivors of sexual violence, and victims of human rights abuses. We soon began collaborating on a project to bring our experience and knowledge to American legal education. During this process, we recognized that none of us, each of whom had worked closely with trauma survivors, had received any specialized training. Despite our diverse origins, we all learned

What initially brought us together was a dedication to developing our own skills in trauma-informed lawyering. With little on offer to us, we set out to develop our own class. As we prepared our initial proposal for CLS, we observed how trauma-informed lawyering is incorporated into some areas of U.S. legal education, as explored above. Our response began modestly—we submitted a (successful) project proposal through the Davis Polk Innovation Grant initiative at CLS, which aims to support projects involving CLS community members engaging in leadership through tackling real-world challenges.¹⁸⁴ Our proposal focused on creating a resource for the broader CLS community on trauma-informed lawyering. It included developing a Reading Group, organizing speaker events to foster connections with trauma-informed academics, and establishing a student association dedicated to trauma-informed lawyering as a space to facilitate these activities.¹⁸⁵

The Reading Group specifically was designed to be a space where interested students could discuss key ideas in trauma-informed lawyering through the lens of different areas of law. With support from the grant, and guidance from Professor Amber Baylor, that idea evolved into a one-credit course called the ‘Reading Group on Trauma-Informed Lawyering.’¹⁸⁶ First offered in Spring 2024 and repeated in Spring 2025, the Reading Group consisted of a limited number of class sessions, eight in the inaugural year and ten in the second iteration, through which students explored trauma-informed practices in the legal profession. While more limited in scope than a traditional doctrinal course, the Reading Group sought to combine theoretical understanding with practical skills, preparing students to implement these practices in diverse legal contexts. More broadly, the Reading Group sought to be a setting in which we could carve a space and community within the law school, for both students and faculty, where trauma-informed education could grow.

The pages that follow detail the Reading Group’s structure, discussions, and outcomes. We focus here on the inaugural 2024 course, which laid the foundation for subsequent iterations, but also note the ways that we refined the syllabus in 2025. This Part also includes

to support trauma-affected clients through practical experience, benefiting from mentors, observing peers, or basic on-the-job guidance. None of us encountered trauma-informed legal education in law school.

¹⁸⁴ *Davis Polk Leadership Initiative*, COLUM. L. SCH., <https://leadership-initiative.law.columbia.edu/>.

¹⁸⁵ Discussion of activities outside of the Reading Group are beyond the scope of this Article.

¹⁸⁶ *Reading Group on Trauma-informed Lawyering*, COLUM. L. SCH., <https://web.archive.org/web/20250515215151/https://www.law.columbia.edu/academics/courses/34592/>; see also *infra* Example Syllabus, Appendix C.

the feedback we received from students in both 2024 and 2025, plus suggestions of future refinements following the conclusion of our 2025 course. By sharing our experience, we aim to encourage other scholars to embed trauma-informed perspectives throughout their curricula and thereby prepare the next generation of lawyers to serve clients respecting trauma-informed perspectives and guidelines.

1. *Preparation and Inauguration of the Reading Group*

The first Reading Group took place in the Spring semester of 2024 at CLS, under the supervision of Professor Amber Baylor. Before launching the Reading Group, we undertook a series of carefully planned preparatory steps aiming for the program's success and a long-term impact. These efforts were two-pronged: first, administrative and organizational steps, and second, substantial research to develop a syllabus that encompassed a wide variety of trauma-informed practices and approaches. We aimed to include as many perspectives on trauma-informed practices as we could in one semester, with the purpose of showing different legal areas of its application.¹⁸⁷ The holistic approach of the syllabus was designed to engage law students with different legal interests and backgrounds to the Reading Group. Equally, the syllabus was intended to reflect our foundational purpose: to show that trauma-informed lawyering is essential to legal practice *per se* and should be taught to all law students. The syllabus hence provided material to promote discussion among the students on the importance of a trauma-informed practice as a core pillar of legal education.¹⁸⁸

The syllabus featured readings, multimedia resources, and guest speakers for each of its sessions.¹⁸⁹ It not only reflected an interdisciplinary approach but also integrated practical exercises for the students.¹⁹⁰ Once the initial draft of the syllabus was completed, we asked for feedback from a group of professors, who we also asked to participate in the Reading Group as discussion leaders to draw upon both the readings and their own experiences in practice: these professors specialized in the

¹⁸⁷ Our syllabus included classes on the criminal justice system, in the judicial branch, and its application in human rights practice. See *infra* Example Syllabus, Appendix C. This equally reflected the expertise available at CLS and the existing legal scholarship on the subject.

¹⁸⁸ See *infra* Example Syllabus, Appendix C. The materials for each class are incorporated throughout the descriptions forthcoming of each class session.

¹⁸⁹ The classes also sought to grapple with and interrogate existing definitions of trauma, its origin, and its effects. Some readings focused on the impact of trauma on traditionally marginalized communities, such as the LGBTQ+ community, racialized individuals, and criminalized individuals. These topics were divided among the faculty members that supported our project and joined us in the Reading Group, according to their expertise.

¹⁹⁰ Such as interviewing practice, mind mapping, and reflection exercises.

criminal system and criminal proceedings, social justice, the court system and human rights. This meaningful collaboration not only strengthened the content of the sessions but also reaffirmed the Reading Group's commitment to cultivating a trauma-informed community within CLS across legal disciplines.

2. *Reading Group, 2024*

The 2024 Reading Group consisted of eight in-depth sessions held twice a month, each lasting one hour and fifty minutes, focused on a distinct dimension of trauma-informed lawyering, and were led by prominent experts in the field. Open to J.D. and LL.M. students, fifteen students participated in this inaugural class; each from diverse professional and cultural backgrounds, including Argentina, Austria, Chile, China, India, Japan, Mexico, Sri Lanka, the U.K. and the U.S.¹⁹¹ This ensured that our discussions were informed by a diversity of perspectives and cultural-political ideas around lawyering.¹⁹²

To promote an environment of trust and openness, and to mitigate stress associated with competitive curve-based grading systems, the Reading Group was offered on a pass/fail basis and graded based on attendance and participation. The physical setup of the classroom, chairs arranged in a circle, was deliberately chosen to reduce traditional hierarchies and foster egalitarian, empathetic dialogue. Guest speakers would join the circle just as the students joined. Discussions illuminated the gap in legal education around trauma, the unintentional harm lawyers may cause without proper training, and the need for more human-centered approaches to advocacy. By course end, students had not only acquired a deeper understanding of trauma-informed lawyering but also developed practical tools for minimizing harm, fostering resilience, and pursuing justice with greater empathy and intentionality.

a. *Session One*

The opening session, led by our guest professor, specialized in criminal justice, introduced foundational concepts on trauma-informed

¹⁹¹ Excluding 1Ls due to curriculum restrictions.

¹⁹² We emphasize here the importance of including LL.M students as part of this cohort. In many law schools, LL.M students are unable to participate in clinical education. Often, this is because of the way that clinics time the selection of their incoming students—before LL.M students even have their acceptance offers. Sometimes, it is because so few spaces are kept available to LL.M students, that many are unable to participate, even if they wanted to do so. Other clinics also do not incorporate LL.M students as it is perceived to be a wasted investment on students who may simply return to their countries at the end of their studies. This final aspect requires deep reflection on the part of schools who take such a myopic approach to the values of LL.M students and their contributions beyond U.S. law school.

lawyering,¹⁹³ and encouraged early reflection through a pre-distributed questionnaire.¹⁹⁴ The students were asked to reflect on: What is trauma? How does it manifest in legal contexts? How does it intersect with law? A key focus of the class was identifying the gap in legal education related to trauma-informed practices, which often prioritize facts and evidence over the human elements of the law. By providing a reflective questionnaire, this also acted as a marker of the students' knowledge of the topics at that stage in the semester and their educational journey on trauma-informed lawyering, a resource to reflect back upon in the future. To help build a sense of community and ease participants into these sensitive discussions, we incorporated shared food during the first meeting, building on ideas of commensality and community through food.¹⁹⁵

A number of students had already gained experience working in legal settings where a trauma-informed approach to lawyering would have been helpful.¹⁹⁶ As a result, the discussion reflected on moments when they struggled due to a lack of formal training in this area. Through these reflections, it became clear how even a basic understanding of trauma-informed principles, and a knowledge of helpful language, could have transformed their approach, allowing them to engage more sensitively, adapt their questioning techniques, and foster a sense of safety for their clients.

b. Sessions Two and Three

The next two sessions were led by another guest professor, formerly incarcerated, with experience in the criminal legal system.¹⁹⁷ The students learned about the retraumatization of criminal defendants by both the legal system, and lawyers themselves. The professor interrogated the idea that trauma-informed lawyering as a tick-box exercise and explored how a trauma-informed “awareness” was crucial.

¹⁹³ See *infra* Example Syllabus, Appendix C; Howlett & Sharp, *supra* note 16; Kathy Minella, *Trauma-Informed Lawyering: What Is It and Why Does It Matter*, MINELLA L. GRP. (Feb. 22, 2022), <https://minellalawgroup.com/blog/trauma-informed-lawyering-what-is-it-and-why-does-it-matter/>; Alexander S. Rusek & Aylysh B. Gallagher, *An Introduction to Trauma-Informed Lawyering*, MICH. B.J. (Aug. 2023), <https://www.michbar.org/journal/Details/An-introduction-to-trauma-informed-lawyering?ArticleID=4671>.

¹⁹⁴ A copy of the questionnaire is attached as an appendix to this Article. See *infra* Initial Survey, Appendix A.

¹⁹⁵ See, e.g., Harry G. West, *We Are Who We Eat With: Food, Distinction, and Commensality*, THE MIT PRESS READER, <https://thereader.mitpress.mit.edu/we-are-who-we-eat-with/>; Claudine Cassar, *From Sharing a Meal to Sharing Culture – How Commensality Shapes Social Identity*, ANTHROPOLOGY REV. (Oct. 10, 2024), <https://anthropologyreview.org/anthropology-glossary-of-terms/commensality-the-social-practice-of-eating-together/>.

¹⁹⁶ Another reason why the input of LL.M students, many of whom have come from years of legal practice, is crucial.

¹⁹⁷ See *infra* Example Syllabus, Appendix C.

We were fortunate in the third session to also have insights from another three professors in a discussion around the systemic challenges of mass incarceration, dehumanization, and structural inequality.¹⁹⁸ Through assigned readings and the short film *Unbecoming*,¹⁹⁹ students examined how trauma is both inflicted and revealed within criminal law procedures and the behavior of legal actors. *Unbecoming* acted as a crucial pedagogical tool to explore the moments where a trauma-informed practice becomes relevant in the experiences of a Black prosecutor (the film's protagonist).

The discussions unpacked how trauma surfaces at different stages of the criminal process and how these experiences shape individuals' interactions with the system. Emphasis was placed on developing thoughtful, humane strategies for working with both directly impacted individuals and community organizations involved in criminal legal reform. The discussions also explored the intersection of trauma with systemic oppression, such as racism and mass incarceration, and considered how alternative restorative practices might offer more healing-centered approaches to justice.

c. Sessions Four and Five

The next two sessions examined the judicial system's role in perpetuating trauma.²⁰⁰ The professor shared her experiences from 30 years as a judge, and as an attorney working on pro bono family law cases, and as a leading advocate for LGBTQ+ individuals in the legal profession.

The first session highlighted the importance, and absence, of trauma-informed training for courtroom actors, including judges, court clerks, and interpreters, and the balance between supporting victims and maintaining fairness in courtrooms.²⁰¹

The second session focused on the experiences of LGBTQ+ individuals within the legal system. We explored whether there is the need for specialized courts and greater representation amongst legal

¹⁹⁸ See Helgi Maki, *Trauma-Informed Law*, <https://www.traumainformedlaw.org/about>; Danielle Rousseau, *Traumatic Experiences in Correctional Facilities: Who Has It Worse? Correctional Staff or Those Who Are Incarcerated*, B.U. COURSE BLOGS (Jun. 20, 2021), <https://sites.bu.edu/daniellerousseau/2021/06/20/traumatic-experiences-in-correctional-facilities-who-has-it-worse-correctional-staff-or-those-who-are-incarcerated/>; Pinderhughes et al., *supra* note 26.

¹⁹⁹ *Unbecoming* is a short film about the arrest of a protester and their passage through the criminal legal system, including detention, encounters with other incarcerated people, and a court appearance with their lawyer before a judge. UNBECOMING (On file with authors).

²⁰⁰ The session readings included NAT'L CTR. ON DOMESTIC VIOLENCE, *supra* note 26; Eva McKinsey et al., *supra* note 26; Bohannon et al., *supra* note 26. See *infra* Example Syllabus, Appendix C.

²⁰¹ See, e.g., McKinsey et al., *supra* note 26, at 43.

professionals, such as LGBTQ+ judges, to mitigate systemic harm and alleviate trauma for marginalized identities.²⁰²

d. Sessions Six and Seven

Our guest professor who specialized in human rights, led two sessions on trauma in such a context.²⁰³ Topics included retraumatization, vicarious trauma, and self-care strategies.²⁰⁴ Through these discussions, we emphasized the ethical and practical considerations that legal professionals must navigate when engaging with survivors of human rights violations through effective strategies for conducting interviews, while also highlighting practices for ensuring their own well-being in high-stakes, emotionally demanding fields.²⁰⁵

In the second session, a key component was a mock interview exercise where students practiced trauma-informed client interaction in paired simulations, with one student playing human rights practitioner and the other as interviewee.²⁰⁶ Each student only had access to information about their own role, meaning that the students could explore the impact of making assumptions about an individual based on minimal information, and developed empathy with interviewees, exploring the impact of interviewing approaches that fail to center the individual. This hands-on experience emphasized empathy, active listening, and the importance of creating safe, non-judgmental spaces.

e. Session Eight

The final class sought to offer students a space to reflect on lessons learned and to envision how trauma-informed principles could be integrated into their future legal practices and develop collaborative approaches that prioritize client well-being.²⁰⁷ A closing questionnaire

²⁰² See, e.g., Adam Frankel, “Do You See How Much I’m Suffering Here?” *Abuse against Transgender Women in US Immigration Detention*, HUM. RTS. WATCH (Mar. 23, 2016) <https://www.hrw.org/report/2016/03/23/do-you-see-how-much-im-suffering-here/abuse-against-transgender-women-us>.

²⁰³ See *infra* Example Syllabus, Appendix C.

²⁰⁴ See Porterfield, *supra* note 4; *Guidelines*, *supra* note 26; Threa Almontaser, *And That Fast, You’re Thinking About Their Bodies*, in *THE WILD FOX OF YEMEN* 1, 83 (2021); Simone Cruz & Jelena Dordevic, *Protection, Self-Care, and the Safety of Human Rights Defenders*, 30 *SUR INT’L J. ON HUM. RTS.* 239 (2020); Nah, *supra* note 22; Baker et al., *supra* note 26.

²⁰⁵ Porterfield, *supra* note 4; HUM. RTS. WATCH, *supra* note 35; Almontaser, *supra* note 204; Cruz & Dordevic, *supra* note 204; Nah, *supra* note 22; Baker et al., *supra* note 26.

²⁰⁶ The hypothetical was based on a scenario in which an individual had witnessed serious human rights violations committed against their community, including the forced removal and detention of almost all the community members. The interviewee was mainly concerned about the fate of her husband, while the purpose of the interview was limited to gathering information rather than providing legal advice or assistance.

²⁰⁷ See *infra* Example Syllabus, Appendix C.

revisited early themes and helped solidify students' personal takeaways. By reflecting at both the beginning and the end of the semester, students were able to acknowledge and visualize their growth and educational journey through the course.²⁰⁸

3. *Feedback*

Through the final reflective exercise in the last class, we were able to obtain feedback from the students on the content of the classes as well as the pedagogical tools to explore the topics addressed. This feedback offers detailed insights into how the course impacted their perspectives and practices.²⁰⁹

a. *Practical Skills*

Overall, participants expressed that the Reading Group provided them with both theoretical knowledge and practical tools to implement trauma-informed approaches in their work. A central realization was the importance of being mindful of a client's history and how trauma impacts their behavior and communication. For example, students noted that preparation for client's interviews should go beyond gathering legal facts and include consideration of the client's emotional state and specific needs. They emphasized techniques that they had learned through the classes, like active listening, allowing clients to take breaks when needed, and being clear about their intentions to create trust and rapport. Many highlighted the necessity of being sensitive to cultural and linguistic differences, noting that translation issues and cultural norms could exacerbate misunderstandings or harm.

b. *Long-term Strategies*

Another important takeaway was the value of self-awareness in legal practice. Students reflected on the need to acknowledge their own emotional limits and engage in self-care to prevent burnout. They appreciated learning strategies for balancing compassion with professionalism to sustain a long-term career in law. These insights encouraged participants to view trauma-informed lawyering as a dynamic and evolving practice that requires constant reflection and adaptability throughout their careers.

²⁰⁸ Unfortunately, due to circumstances beyond our control, we were unable to meet in person for our final session. Instead, a reflection exercise was assigned and the class reflected remotely and provided feedback via email.

²⁰⁹ See *infra* Final Survey, Appendix B.

c. *Systemic Issues*

Feedback also revealed that participants recognized how certain elements of the legal system and lawyer behaviors could inadvertently re-traumatize clients. For example, lawyers may unintentionally trigger clients by asking insensitive or overly direct questions about traumatic events. In this regard, a student claimed: “[i]t can lead the client to be triggered and re-experience the trauma and build up a resistance towards the efficacy and trustworthiness of the legal system, rather than helping them out through its complexities we would only pull them away from it and aggravate their suffering.”²¹⁰

Students noted that clients often feel powerless and disrespected in legal proceedings, which can lead to further distrust of the legal system. Another recurring observation was the lack of understanding among legal professionals about how trauma manifests in clients, such as memory lapses or emotional detachment, and how this can affect crucial elements of the legal process like providing testimony. The students recognized that these behaviors, when misunderstood, can lead to credibility challenges for clients and hinder their ability to access justice. The very acknowledgement of these risks highlights the students’ new readiness to tackle these challenges.

d. *Relationships of Trust*

Students also pointed out that public defenders, often burdened with overwhelming caseloads, may struggle to build the strong relationships of trust necessary for effective trauma-informed representation. In this sense, a participant said: “[t]he caseloads may significantly impair PDs [“public defenders”] ability to build strong relationships with clients. Failure to communicate can be seen as not caring about the client. Failing to recognize that while you might have seen a lot of cases like this before and know things will turn out well, this might be a client’s first encounter with the criminal punishment system and they might be terrified of what is going to happen.”²¹¹

e. *Agency and safety*

In addition, students offered thoughtful suggestions on how lawyers can foster safe spaces for clients who have experienced trauma. A recurring theme was the importance of giving clients agency and control over the process, such as allowing them to choose when and where to meet or collaboratively deciding on legal strategies. Students agreed on the idea that, by providing clear explanations of legal procedures and

²¹⁰ Notes on file with authors.

²¹¹ *Id.*

setting realistic expectations, lawyers can alleviate some of the anxiety and confusion clients may feel.

f. A Holistic Approach

Additionally, students stressed the importance of empathy and holistic thinking. Lawyers should consider the broader context of a client's life, including external stressors that may impact their ability to engage with the legal process. Several students emphasized the role of collaboration, suggesting that lawyers work alongside social workers, psychologists, or other professionals to provide comprehensive support for clients. They also advocated for small but impactful gestures, such as ensuring privacy, showing respect in communication, and creating a comfortable physical environment during meetings.

g. New Areas of Law

Students suggested expanding the curriculum to include areas such as immigration, corporate law, housing, and family law in the following editions of the Reading Group. Students identified these fields as particularly rife with trauma and in need of trauma-informed approaches. Some participants proposed including a session on interdisciplinary collaboration, focusing on how lawyers can effectively work with social workers and mental health professionals. Others recommended inviting psychologists or psychiatrists to provide scientific insights into trauma, its effects on clients, and best practices for legal professionals when addressing it. Participants also expressed interest in exploring the role of trauma in other contexts, such as dispute resolution and academic environments. These suggestions reflect a recognition that trauma is not limited to specific legal fields and that trauma-informed principles can be applied broadly.

h. Pedagogy

Students also highlighted that guest speakers brought invaluable real-world perspectives to the discussions. Having professors with experience with incarceration and as a judge were some of the most powerful experiences that helped provide a better understanding in how trauma informed practices can be applied. Finally, our invited professor specialized in human rights' exercises and simulations were frequently cited as some of the most effective learning tools students got from the Reading Group.

The overall feedback on the Reading Group was overwhelmingly positive, with many students describing it as a transformative experience that filled a gap in traditional legal education. Some students suggested logistical adjustments, such as providing discussion questions in

advance to help participants prepare for class discussions or adjusting the timing of sessions for better focus. Others recommended continuing to integrate interactive activities, such as role-playing and mediation exercises, to further enhance engagement and learning. A particularly meaningful observation was that the Reading Group created an open environment for discussing sensitive topics. Students appreciated the opportunity to explore trauma-informed lawyering without the usual academic focus on exams and grades. Finally, many expressed hope that the course could continue in future semesters and even expand its scope.

4. *Reading Group, 2025*

The 2025 Reading Group consisted of ten sessions held every two weeks. Each session lasted one hour and fifty minutes, focused on a different aspect of trauma-informed lawyering and was led by guest speakers with vast experience working in the field. The Group included twelve 2L, 3L, and LL.M. students from diverse professional and cultural backgrounds, including Belgium, Australia, Switzerland, India, and the U.S.

Building on the success and insights of the inaugural edition in 2024, the 2025 iteration of the Reading Group reflected a significant expansion in both content and scope.²¹² Drawing directly from participants' feedback and self-assessment from the 2024 cycle, the course syllabus was revised to address previously identified gaps, enrich the legal and practical foundations of the program, and strengthen interdisciplinary engagement.

Responding to the enthusiastic feedback to the in-class role-playing and practical exercises from the previous year, we not only preserved these components but also expanded their scope and frequency. Our aim was to ensure that each session incorporated at least one practical exercise, allowing students to actively apply trauma-informed principles in simulated legal contexts: for example, we maintained the use of the *Unbecoming* film as a pedagogical tool; the interviewing exercise was extended to cover an entire session to facilitate a deeper exercise and room for reflections on the process; students were asked to plan ways to mitigate vicarious trauma in their own lives and legal practices. These experiential learning opportunities proved essential in bridging theory and practice, deepening students' understanding through reflection and skill-building.

Lastly, we continued to prioritize an inclusive and non-hierarchical classroom environment. Sessions remained pass/fail and the classroom continued to be arranged in a circle to minimize power dynamics

²¹² Syllabus on file with authors.

between participants and guest speakers, promoting open dialogue and collaborative learning.

a. Session One and Two

The opening session for 2025, again specialized in criminal justice, examined trauma within the criminal law system, beginning with a short survey on students' legal experience and interest in trauma-informed lawyering to foster an open and intimate environment.²¹³ Little was changed between the 2024 and 2025 reading groups for the opening session.

After discussing survey results and sharing personal experiences, the session moved to foundational definitions of trauma and its effects, emphasizing its influence on individuals and communities involved in the justice system. Readings such as "The Body Keeps the Score" were added to encourage students to reflect on issues like stigma, institutionalization, reentry, and systemic discrimination.

Class activities included collaborative reading reflections, a critical analysis of trauma-informed frameworks, and a film viewing on vicarious trauma. As in the 2024 iteration of the Reading Group, the short film *Unbecoming*²¹⁴ encouraged students to reflect on trauma throughout the various stages of the criminal process, highlighting trauma that is both inflicted by and re-experienced by the actors operating within the system itself. Other activities, including an open group discussion highlighted the importance of preventing retraumatization, supporting client wellbeing, and exploring both personal and systemic factors contributing to trauma in justice contexts. Throughout the session, participants examined ethical challenges and the self-care responsibilities of legal professionals, emphasizing the importance of trauma awareness and sensitivity for those working within the legal system and for the communities they serve. The course fostered collaborative reflection on the lawyer's role in advancing client wellbeing and highlighted the need for practical, trauma-informed approaches in legal practice.

b. Session Three and Four

The next two sessions were again led by our invited professor with experience on the bench, and expertise in the court system. The sessions began with an in-depth exploration of trauma within the U.S. legal system, examining the unique pressures and emotional burdens

²¹³ Myrna McCallum, *Trauma & Compassion: My Interview with Gabor Maté* (Apple Podcasts, independently recorded Jun. 1, 2020), <https://thetraumainformedlawyer.simplecast.com/episodes/trauma-compassion-my-interview-with-gabor-mate/transcript>; Katz & Haldar, *supra* note 6; VAN DER KOLK, *supra* note 26; Pinderhughes et al., *supra* note 26; DeVeaux, *supra* note 70.

²¹⁴ See *supra* note 199 and accompanying text.

faced by judges, lawyers, defendants, jurors, and especially those from marginalized backgrounds.²¹⁵ Readings such as “Trauma-Informed Judicial Practice from the Judges’ Perspective,”²¹⁶ “Judicial Perspectives on Handling Child Trafficking Cases,”²¹⁷ and a collection of papers on “Strategies for Connecting with Survivors Involved with Legal Proceedings”²¹⁸ opened the discussion for finding key components of a trauma-informed courtroom.

By comparing state and federal court experiences, students gained insight into how systemic challenges—such as high caseloads, insufficient legal representation, and mandatory minimum sentencing—exacerbate trauma for those navigating the justice system. The discussion highlighted the dual necessity and difficulty of fostering empathy and trauma-informed practices among legal professionals, who often must balance compassion with the demands for impartiality and emotional distance.

During the second class, special focus was given to the compounded trauma experienced by immigrants, LGBTQ individuals, and other vulnerable groups, both inside and outside the courtroom. Readings such as “Do You See How Much I’m Suffering Here?”²¹⁹, “Banning the Use of Gay and Trans Panic Defenses”²²⁰ and “The Lives of Lesbian, Gay, Bisexual, and Transgender People: A Trauma-Informed and Human Rights Perspective”²²¹ allowed an in-depth reflection of structural barriers to justice for LGBTQ+ victims and legislative reform efforts to equal protection under the law.

Both classes were structured through a dynamic combination of lecture, open discussion, Q&A sessions, and hands-on exercises. Students engaged deeply with readings, case studies, and media analysis, considering how public perception and social media influence judicial outcomes. Throughout, participants critically examined ethical boundaries and the

²¹⁵ *Domestic Violence: A Q & A With Trauma Researcher Maja Bergman*, COLUM. UNIV. DEP’T OF PSYCH. (Sep. 25, 2024), <https://www.columbiapsychiatry.org/news/domestic-violence-q-trauma-researcher-maja-bergman>; NAT’L CTR. ON DOMESTIC VIOLENCE, *supra* note 26; McKinsey et al., *supra* note 26; Bohannon et al., *supra* note 26; Brooke Migdon & Rebecca Beitsch, *Federal agencies ordered to implement transgender bathroom ban*, THE HILL (Jan. 30, 2025), <https://thehill.com/homenews/lgbtq/5117077-trump-transgender-bathroom-ban-opm-gender-ideology/>; Christy Mallory, Brad Sears, & Luis A. Vasquez, *Banning the Use of Gay and Trans Panic Defenses*, UCLA SCH. OF L. WILLIAMS INST. (2021), <https://williamsinstitute.law.ucla.edu/publications/model-leg-gay-trans-panic/>; Frankel, *supra* note 202.

²¹⁶ McKinsey et al., *supra* note 26.

²¹⁷ Bohannon et al., *supra* note 26.

²¹⁸ NAT’L CTR. ON DOMESTIC VIOLENCE, *supra* note 26.

²¹⁹ Frankel, *supra* note 202.

²²⁰ Mallory, et al., *supra* note 215.

²²¹ Diane E. Elze, *The Lives of Lesbian, Gay, Bisexual, and Transgender People: A Trauma-Informed and Human Rights Perspective*, in *TRAUMA AND HUMAN RIGHTS* (L. D. Butler, F. M. Critelli & J. Carello eds, 2019).

importance of self-care for legal practitioners. The sessions ultimately underscored the urgent need for trauma-awareness, active listening, and adaptable courtroom practices that prioritize reducing harm and promoting well-being for everyone involved.

c. Session Five, Six and Seven

Session six, led by our invited professor specialized in human rights opened up with reflection on the poem “And That Fast, You’re Thinking About Their Bodies”²²² to illustrate the omnipresence of trauma in daily life, particularly through sensory details and personal interactions. The central discussions examined how identity, memory, and systemic violence intersect with trauma, and included a critical evaluation of the “Human Rights Watch Guidelines for Interviewing Survivors of Trauma and Conducting Research on Sexual Violence”²²³ and trauma-informed frameworks highlighting ethical considerations, power imbalances, and the dangers of retraumatization.

The second focused exclusively on a hands-on trauma-informed interviewing exercise, departing from the approach in 2024. Theoretical learning went from preparing before the interview, conducting the interview, addressing interview challenges and reporting findings. As with the previous version of the Reading Group, the class split into two groups, interviewer and interviewee, to practice interviewing in a trauma-informed style. It finalized with a reflection exercise exploring the effect of playing the interviewee, as well as understanding how different approaches to interviewing work

The third session—revised to be more reflective and practitioner-centered—delved into the complexities of retraumatization and vicarious trauma. Students actively bridged academic concepts with real-world challenges, critically analyzing both theory and ethical dilemmas in practice. The redesigned session on vicarious trauma, added in this 2025 edition offered a deeper, more practitioner-focused understanding of the emotional demands of human rights advocacy, equipping participants with practical strategies for sustaining ethical, client-centered, and resilient legal practice. Students were encouraged to engage in private reflection exercises on the emotional toll of legal work and develop personal strategies for well-being and sustainability in trauma-exposed environments.²²⁴

²²² Almontaser, *supra* note 204.

²²³ *Guidelines*, *supra* note 26.

²²⁴ See, e.g., Porterfield, *supra* note 4; Cruz & Dordevic, *supra* note 176; Nah *supra* note 22; Baker et al., *supra* note 26.

d. Session Eight

One of the most notable changes to the 2024 curricula was the expansion of the curriculum from eight to ten sessions.²²⁵ This allowed for a deeper exploration of trauma in domestic and international legal contexts, and greater incorporation of interdisciplinary and practitioner-oriented perspectives. Considering that many of the students were interested in international criminal and human rights law, the revised syllabus included a session on international criminal investigations, examining the explicit recognition of trauma in proceedings before the International Criminal Court (ICC).

This eighth session, led by a visiting professor specialized in international law, focused on understanding how the explicit mention of trauma within the Rome Statute has shaped international criminal investigations into mass atrocities, and how this can influence the trial proceedings.

The professor provided a framework on international criminal justice, and an overview for students who didn't have an international law background. Then, "The Trauma Expert"²²⁶ and "Trauma-Misinformed Justice at the International Criminal Court"²²⁷ readings helped students examine the ICC's current practices and explore avenues for reform to better accommodate the psychological realities of trauma in international criminal justice.

e. Session Nine

To provide students with the scientific and medical understanding of trauma-informed practice, we integrated psychological expertise into the Reading Group and introduced a new session led by a trauma psychologist. This session offered students essential insights into the clinical and neurological dimensions of trauma, including therapeutic communication techniques, vicarious trauma prevention strategies, and trauma-informed interview practices grounded in psychological theory.

By reading "Journalists covering the refugee and migration crisis are affected by moral injury not PTSD,"²²⁸ the Reading Group's discussion shifted toward emotional health, with a focus on the distinct symptoms of PTSD, depression, and moral injury. The professor illustrated how symptoms of PTSD may emerge during interviews with clients who

²²⁵ *The Trauma Expert*, INT'L CRIM. CT., <https://www.icc-cpi.int/get-involved/justice-at-work/story/the-trauma-expert>; Nacyte, *supra* note 62.

²²⁶ *Id.*

²²⁷ Nacyte, *supra* note 62.

²²⁸ Anthony Feinstein, Bennis Pavisian & Hannah Storm, *Journalists covering the refugee and migration crisis are affected by moral injury not PTSD*, 9 J. OF THE ROYAL SOC. OF MED. OPEN 1 (2018).

have experienced trauma and explained the physiological and neurological processes that occur after a traumatic event and can give rise to such responses.

The reflection then focused on the role of the lawyer in responding to these reactions, highlighting the importance of understanding them as part of a trauma-informed interviewing process. It also addressed how lawyers can support individuals during difficult episodes and, in doing so, improve their own practice.

Having a psychologist participate in the Reading Group proved invaluable in helping students understand the scientific dimensions of trauma. From a clinical perspective, the psychologist explained how trauma manifests in the body and brain, how it may be identified in professional interactions, and why it is essential for lawyers to clearly establish their role when working with trauma-affected individuals. This interdisciplinary perspective also equipped students with practical tools to respond appropriately and ethically, reducing the risk of retraumatization while fostering a trauma-informed legal practice.

f. Session Ten

Our final session did not change in function or format from the 2024 version, providing a moment to reflect upon the learnings from throughout the semester.

In summary, the 2025 Reading Group consolidated the foundational work laid in its first edition and significantly broadened its scope and deepened its impact.²²⁹ Through interdisciplinary collaboration, new thematic additions, and enhanced pedagogical tools, this year's course reflected an evolving, responsive approach to trauma-informed legal education and one that remains committed to fostering resilience, empathy, and justice in the legal profession.

C. Foundational Principles of a TIL Reading Group

By reflecting on the experiences of designing the 2024 and 2025 Reading Groups, and incorporating feedback from the students in both sessions, we have compiled foundational principles that have been instrumental in guiding this Reading Group.²³⁰ We include these here for guidance for future scholars and teachers who may be interested in replicating the format of the Reading Group.

²²⁹ GOLDEN EAGLE RISING SOC'Y, *supra* note 26; Lorilei Williams, *An Antiracist Approach to Trauma-Informed Lawyering*, SHRIVER CTR. ON POVERTY LAW (Jun. 29, 2021), <https://www.povertylaw.org/article/trauma-informed-lawyering/>.

²³⁰ As in 2024, in the final session of the 2025 Reading Group, students were asked for their feedback through a questionnaire provided during the last class. Their insights were extremely valuable in understanding what worked for the students. *See infra* Final Survey, Appendix B.

The recommendations and suggestions reflect the factors that were most successful in the two Reading Groups: those that we think must be protected due to their success as part of the groups, those that must be incorporated considering the scholarship that we drew from in developing the Reading Group, and those that reflect our collective ambition to extend trauma-informed lawyering communities in law school and beyond. We acknowledge how these principles have been developed and formed through the community we built—through the scholars and scholarship we engage with throughout the semester, but most importantly through the students that enroll and their contributions. These principles concern: (i) vicarious trauma training, (ii) smaller group sizes, (iii) experiential learning, (iv) intersectional approaches, and (v) community building.

1. Space for Vicarious Trauma

Much trauma-informed lawyering scholarship focuses on the prevention of retraumatization of the people that lawyers work with; However, a top priority identified by students was the prevention of vicarious trauma through the use of concrete tools built into systems of work to help monitor emotional and psychological well-being. The subject of vicarious trauma was repeatedly raised throughout the course, as well as in the feedback, as a priority, emphasizing the need to deeply grapple with the subject throughout the syllabus. Any discussion of trauma-informed lawyering, regardless of disciplinary focus, must incorporate skills concerning vicarious trauma.²³¹

2. Smaller Groups

Students underscored the importance of creating intentional spaces for peer-to-peer exchange and how the Reading Group functioned as a crucial physical and emotional environment for community building whilst in law school. Many students remarked on the size of the Reading Group being optimal for community building and conducive for deeper discussions on the tricky topics discussed in the classroom.²³² As discussion leaders, we found the seminar-sized classroom to be conducive to discussions around trauma. Students in the 2025 Reading Group were concerned about expanding trauma-informed lawyering to larger

²³¹ Anecdotally, it was far easier to engage students in discussions surrounding retraumatization, as opposed to vicarious trauma. Students appear to be naturally inclined to focus on the well-being of their clients; less so as to their own well-being and sustainable practice. Incorporating structured time to reflect and develop skills in vicarious trauma identification and mitigation was essential to ensuring that these conversations were not overtaken by conversations concerning retraumatization.

²³² Each year consisted of 15 students, plus one to four additional discussion leaders.

groups at the risk of jeopardizing the ability to have the nuanced, sensitive conversations required as part of a trauma-informed education.

3. *Experiential Elements*

Some students advocated for more opportunities to develop and share personal and professional experiences from diverse legal and cultural contexts, whether drawn from internships, community work, or lived realities. This seemed to be particularly important for students who did not have as much experience in legal practice as others.²³³ To ground these conversations in practice, students proposed expanding observation opportunities through partnerships with courts, legal aid organizations, or initiatives like CourtWatch,²³⁴ allowing them to witness the real-world application, or absence, of trauma-informed principles. These experiences equally could be incorporated into any assessment, whereby students are asked to reflect on the moments where a trauma-informed approach comes into tension with what they are observing or where such an approach could have improved it.

Many also emphasized the value of incorporating audio-visual materials into the syllabus, recommending films and series like *I May Destroy You*²³⁵ or *The Strike*²³⁶ documentary to stimulate critical reflection on how trauma is represented and addressed in broader cultural and legal contexts. These narrative tools, they suggested, provide important entry points for discussing justice, identity, and healing in ways that transcend conventional legal texts and work as impactful pedagogical tools.

As such, incorporating experiences into the curriculum is a crucial principle for any future iterations of a trauma-informed reading group. As detailed, there are many ways of incorporating experiences into the curriculum and should be a foundational pillar of designing a group.

4. *Intersectional Approaches*

Sessions dedicated to specific, intersecting forms of trauma, such as LGBTQ+ experiences, gender-based violence, and the unique challenges faced by children, were received well by students and strengthened their ability to build a more nuanced understanding of trauma in legal settings. These thematic sessions may traverse legal areas but allow for the exploration of specific intersections of trauma-impacted

²³³ As discussed *supra*, LL.M students tended to have more practical experience, compared with the J.D. students.

²³⁴ COURTWATCH, <https://courtwatch.org/>.

²³⁵ I MAY DESTROY YOU (BBC One television broadcast Jun.-Jul. 2020) <https://www.bbc.co.uk/iplayer/episodes/m000jxyx/i-may-destroy-you>.

²³⁶ THE STRIKE (BBC 2007).

individuals' experiences. As part of the way we designed the Reading Group, we ensured that voices and perspectives presented in the classroom were diverse, and this is a necessary pillar in taking the group forward. Students encouraged the regular inclusion of guest speakers with lived experiences, such as formerly incarcerated individuals, survivors, or frontline advocates from underrepresented jurisdictions, as a way to challenge dominant narratives in the legal field.

5. *Community Building*

As part of our own experience in creating the Reading Group, one remarkable aspect has been the community we have been able to form with legal scholars, practitioners, and students. Our original mission was to build community, and through the Reading Group we have been able to build connections between interested and engaged individuals who are similarly passionate about our mission. Students remarked how they would enjoy staying connected with the community built in the Reading Group, beyond the end of the semester. Not only would this be for the purpose of maintaining the relationships developed in the classroom, but also to share resources and ask questions when they are in their own legal practice. Students envisioned online platforms, such as LinkedIn groups, to support ongoing dialogue, resource-sharing, and alumni engagement beyond the classroom.

Some students recommended opening select sessions of future Reading Group classes to alumni and practitioners to cultivate a broader trauma-informed legal community. This could be either on specific sessions to invite back alumni who have worked in these specific areas of law, or even in a more social setting whereby future Reading Group members are connected with alumni.

In sum, these community-driven proposals offer a thoughtful, actionable roadmap for deepening the impact and reach of trauma-informed legal education, both in the Reading Group and beyond. Through the integration of practical tools, reflective exercises, diverse voices, and community-building strategies, the Reading Group can continue evolving into a transformative space, one that not only trains future lawyers in trauma awareness but also empowers them to lead systemic change in their own lives grounded in empathy, sustainability, and justice.

III. A TRANSFORMATIONAL APPROACH

This Article articulates one approach to incorporating trauma-informed lawyering into legal education. However, we recognize that many may be unable to dedicate the time and resources that we did to creating such a group. We hope that this Article might facilitate this process, particularly by providing the syllabi and our foundational

principles. Nonetheless, this Section provides a range of suggested means of incorporating trauma-informed lawyering into legal education that require a shorter time commitment. These ideas are derived from the work we did in the Reading Group, but we offer alternative approaches to answering the call we have made, to incorporate trauma-informed lawyering beyond the clinic (and certainly within all clinics). We have divided these suggestions into temporal categories: (A.) big ideas, that would require a year from start to finish; (B.) medium ideas, that might require a semester to complete; and (C.) small ideas, that would require a mere couple of hours.²³⁷

A. *Big Ideas*

1. *Make Your Own Reading Group*

As suggested throughout this Article, the reading group format provides a fruitful, effective method of incorporating a robust education of trauma-informed lawyering. We suggest that this Article works as the starting point for such a project and provides detailed instruction on how it might be incorporated in other schools. The syllabus is provided as an appendix to this Article,²³⁸ and the readings throughout provide alternative sources for reading group discussion topics.

2. *Incorporation into 1L Curriculum as a Stand-alone Class*

The 1L curriculum requires introductory classes, including legal research and writing. Legal research professors and instructors, as well as those in charge of introductory classes, can incorporate trauma-informed lawyering into these classes. Particularly as writing groups are often smaller groups, sometimes working with librarians, these might offer an opportunity to engage in trauma-informed lawyering discussions and training, whilst being dedicated to smaller class formats, community building, and providing opportunities for experiential, practical learning.

B. *Medium Ideas*

1. *Incorporation into Doctrinal Classes*

Integrating trauma-informed lawyering more formally into the core legal curriculum is one smaller way of incorporating trauma-informed lawyering into legal education. Embedding these discussions within

²³⁷ The authors of this Article are grateful for the discussions Rhiannon had with participants in the TechClinic Camp workshop in June 2025 who identified how a range of suggestions would be helpful for busy scholars and practitioners.

²³⁸ See *infra* Example Syllabus, Appendix C.

professional responsibility and ethics modules, or relevant doctrinal classes—such as family law, constitutional law, or criminal law—offer additional opportunities.²³⁹ This could be executed through integration of reflective and/or practical exercises exploring the implementation of trauma-informed lawyering into a specific discipline. Other suggestions included offering it as a J-Term or intensive course to improve accessibility.

2. *Establishing a TIL Association Who Could Facilitate a Reading Group or Start Building Community*

Working with students who might be interested in developing a trauma-informed lawyering curriculum is another smaller step in establishing trauma-informed lawyering into legal education. Identify students who can facilitate a trauma-informed lawyering association or society in the law school, who can invite external speakers to speak to the law school broadly. Alternatively, these students can help form a reading group—just like we did when we were at law school.

C. *Small Ideas*

1. *Case Rounds and Reflection on Trauma-informed Lawyering*

As a baseline, we encourage all legal clinics to incorporate trauma-informed lawyering resources and readings into their curriculum. The syllabus is attached as an appendix to this Article, plus the readings incorporated throughout, provide a quick basis for incorporating into existing syllabi. Regardless of whether a transactional, criminal, or technology law clinic, this Article demonstrates how a trauma-informed lawyering education is essential to the development of students' lawyering skills and identity.

One simple way of introducing this concept to clinic students would be through engaging in case rounds on trauma-informed lawyering, allowing students to grapple with the ways in which trauma is shaping the relationships they have with their client, as well as with their teammates, or even with the subject-matter itself.²⁴⁰

An alternative would be a reflection exercise asking students to reflect on how trauma may be shaping the relationships within their clinic experience, providing scholarship as scaffolding for this reflection.²⁴¹

²³⁹ See, e.g., Katz & Haldar, *supra* note 6.

²⁴⁰ For more information on case rounds, see Deborah Epstein, *Beyond the Classroom: Applying the Stages of Rounds Structure to Analysis of Clinical Supervision* (on file with authors); Susan Bryant & Elliot S. Milstein, *Rounds: A "Signature Pedagogy" for Clinical Education?*, 14 CLIN. L. REV. 195 (2007).

²⁴¹ Helpful scholarship could include Porterfield, *supra* note 4 at 68; Katz & Haldar, *supra* note 6 at 361; Silver et al., *supra* note 14, at 847.

CONCLUSION

As trauma-informed lawyering becomes increasingly recognized as a crucial methodology to navigate the complexities of legal practice, the disconnect between legal education and the reality of practice becomes more pronounced. Legal education needs to prepare law students to be excellent lawyers, ones that can engage in a robust and critical exploration of power, trauma, and relationality. Even if the nuances of trauma responsiveness can't be fully captured in a lecture, exposure to its principles can lay the groundwork for more empathetic, effective advocacy.

A trauma-informed approach to lawyering is essential if lawyers are to effectively work with other individuals who may have suffered or continued to suffer the effects of trauma. As this Article observes, trauma touches upon any area of law, as all lawyers are required to engage, work with, and serve other human beings. Trauma-informed lawyering is an awareness and methodology that shapes all aspects of lawyering and guides a lawyer into an approach that is more successful and ensures greater competency. It also helps lawyers to create stronger relationships with their clients, facilitates the information gathering that makes a stronger case, and provides the lawyer with tools to be able to work more sustainably for themselves.

Law school shapes the way that lawyers practice. Some areas of practice, such as human rights and criminal defense, have begun to incorporate a trauma-informed legal education into their foundational methodologies. Scholars and educators must now explore ways of incorporating trauma-informed lawyering beyond the clinic. Law school must be re-interpreted and re-imagined to facilitate a lawyer's transition to a trauma-informed approach, otherwise, the work of the radical lawyers who are already undertaking this transition will be lost.

A reading group is one step on the way to this fundamental change. It facilitates the bringing together of people, ideas, and disciplines, while challenging pedagogical structures and presumptions. A reading group builds community, provides space for exploration of new ideas, and promotes a hybrid pedagogical environment for both doctrinal and experiential rigor. This Article has offered one example of how to implement this in practice—a success story for trauma-informed legal education. It also offers several additional strategies that may support educators seeking to advance trauma-informed legal education.

Through a trauma-informed reading group, our students took steps toward a system that seeks to end suffering, that embodies sustainable practice, and orients legal relationships through a focus on justice. They went beyond traditional understandings of legal education and expertise to ready themselves to handle the complex relationships that their legal practice will bring. All law students deserve this education. This Article is one step toward this goal.

APPENDICES

Appendix A – Initial Survey

This Appendix includes the survey distributed to participants at the opening session of the Reading Group:

This brief survey helps us understand your current knowledge and perspectives on trauma. Your responses will be kept confidential and used solely to reflect on the learning outcomes of this Trauma-Informed Lawyering reading group by the end of the semester. Please answer all questions to the best of your ability within 10 minutes. You will be asked whether you want to share your answers with the class, but all comments are voluntary.

1. Briefly define what you understand by the term “trauma.”
2. How does law connect with trauma? Are there specific areas of law that are relevant to this work?
3. Can you think of any legal situations where a client’s past trauma might be relevant to their case? Do you have any personal examples from previous work?
4. Do you think legal professionals generally receive adequate training in understanding and responding to trauma-affected clients?
5. How might a lawyer’s actions or the legal system itself potentially re-traumatize or further disadvantage a client who has experienced trauma? Do you have any examples from previous work?
6. How can a lawyer create a safe and supportive environment for a client who has experienced trauma?
7. Is there anything else you would like to share about your understanding of trauma or its relevance to the legal field? This might include experiences from a cultural or national perspective.

Appendix B - Final Survey

This Appendix includes the survey distributed to participants at the final session of the Reading Group:

1. How do you define trauma-informed lawyering?
2. How do you think trauma-informed lawyering impacts your area of practice?
3. What will you take forward into the future from this class, either into your legal studies or into your work?
4. How might a lawyer’s actions or the legal system itself potentially re-traumatize or disadvantage a client who has experienced trauma?

5. How can a lawyer create a safe and supportive environment for a client who has experienced trauma?
6. What do you think needs to be changed about the legal system to incorporate a trauma-informed approach?
7. Were there other topics or areas of law that you think the Reading Group should cover?
8. What were the most successful parts of the Reading Group, in terms of developing your knowledge of trauma-informed lawyering?
9. Do you have any other feedback for the Reading Group?

Appendix C - Example Syllabus

The syllabus reproduced below is a consolidated version prepared for purposes of this publication. The Reading Group on which this Article is based was offered in 2024 and 2025, at Columbia Law School. While each year's syllabus differed in structure, readings, and scheduling, the version presented here reflects a synthesized compilation of the core themes, topics, and pedagogical components that were addressed across those iterations.

To provide a clear and representative overview of the course, specific dates, session sequencing, guest speakers, and year-specific materials have been omitted or harmonized. Accordingly, the syllabus should be understood not as a verbatim reproduction of any single year's course materials, but rather as an illustrative summary of the subjects and approaches explored throughout the development of the course. We encourage readers of this Article to use the following syllabus as a basis to incorporate into their own trauma-informed law classes.

Introduction to Trauma-informed Lawyering

Illustrative materials:

- Rebecca Howlett & Cynthia Sharp, *Strategies for a Trauma-Informed Law Practice*, A.B.A. GPSOLO EREPORT (Oct. 26, 2021), <https://www.americanbar.org/groups/gpsolo/resources/ereport/archive/strategies-trauma-informed-law-practice/>.
- Kathy Minella, *TRAUMA-INFORMED LAWYERING: WHAT IS IT AND WHY DOES IT MATTER*, MINELLA L. GRP. BLOG (Feb. 22, 2022), <https://minellalawgroup.com/blog/trauma-informed-lawyering-what-is-it-and-why-does-it-matter/>.
- Alexander S. Rusek & Aylysh B. Gallagher, *An Introduction to Trauma-Informed Lawyering*, MICH. B.J., (Aug. 2023), <https://www.michbar.org/journal/Details/An-introduction-to-trauma-informed-lawyering?ArticleID=4671>.

- Sarah Katz & Deeya Haldar, *The Pedagogy Of Trauma-Informed Lawyering*, 22 Clinical L. Rev. 359 (2016) [Part I, pp. 363-370; and Part III(A), pp. 382-384].
- Marjorie Silver, et. al, *Stress, Burnout, Vicarious Trauma, and Other Emotional Realities in the Lawyer/Client Relationship*, 19 Touro L. Rev. 845 (2015).
- Myrna McCallum, *Trauma & Compassion: My Interview with Gabor Maté*, THE TRAUMA-INFORMED LAWYER PODCAST (Jun. 1, 2020) <https://thetraumainformedlawyer.simplecast.com/episodes/trauma-compassion-my-interview-with-gabor-mate/transcript>.
- Shawn Ginwright, *The Future of Healing: Shifting From Trauma Informed Care to Healing Centered Engagement* (May 21, 2018) <https://ginwright.medium.com/the-future-of-healing-shifting-from-trauma-informed-care-to-healing-centered-engagement-634f557ce69c>.

Criminal Law: Trauma and the Criminal Legal System

Illustrative materials:

- Helgi Maki, *Introduction: Legal Practice and Trauma*, TRAUMA-INFORMED LAW (Helgi Maki et al. eds. 2023).
- Danielle Rousseau, *Traumatic Experiences in Correctional Facilities: Who Has It Worse? Correctional Staff or Those Who Are Incarcerated*, BU Course Blogs (June 20, 2021), <https://sites.bu.edu/daniellerousseau/2021/06/20/traumatic-experiences-in-correctional-facilities-who-has-it-worse-correctional-staff-or-those-who-are-incarcerated/>.
- Bassel Van der Kolk, *Chapter Six*, THE BODY KEEPS THE SCORE. BRAIN, MIND, AND BODY IN THE HEALING OF TRAUMA (2014).
- Mika'il DeVeaux, *The Trauma of the Incarceration Experience*, 48 HARVARD C.R.-C.L. L. REV. 257 (2013) https://journals.law.harvard.edu/crcl/wp-content/uploads/sites/80/2013/04/DeVeaux_257-277.pdf.
- Howard Pinderhughes, *Adverse Community Experiences and Resilience: A Framework for Addressing and Preventing Community Trauma*, PREVENTION INSTITUTE (2015).

Criminal Law: Healing and Challenging Harm

Illustrative materials:

- Sarah Katz & Deeya Haldar, *The Pedagogy Of Trauma-Informed Lawyering*, 22 Clinical L. Rev. 359 (2016).

- Bassel Van der Kolk, *Communal Rhythms and Theater*, THE BODY KEEPS THE SCORE. BRAIN, MIND, AND BODY IN THE HEALING OF TRAUMA (2014).
- Mike Milton, *A love letter to St. Louis*, <https://www.freedomstl.org/a-love-letter-to-st-louis>.

Judiciary: Trauma and the Court System

Illustrative materials:

- Eva McKinsey et al., *Trauma-Informed Judicial Practice from the Judges' Perspective*, 106 JUDICATURE 34 (2022).
- Theresa Bohannon et al., *Voices from the Bench: Judicial Perspectives on Handling Child Sex Trafficking Cases*, NAT'L COUNCIL OF JUV. & FAM. CT. JUDGES (2019).
- *Strategies for Connecting with Survivors Involved with Legal Proceedings (Module 1)* NATIONAL CENTER ON DOMESTIC VIOLENCE, TRAUMA, AND MENTAL HEALTH, <https://ncdvtmh.org/toolkit/strategies-for-connecting-with-survivors-involved-with-legal-proceedings/> (Last accessed Jan. 23, 2026).
- *Domestic Violence: A Q & A With Trauma Researcher Maja Bergman*, COLUMBIA UNIVERSITY DEPARTMENT OF PSYCHIATRY (Sep. 25, 2024).

Intersectional approaches: Trauma & the LGBTQ+ Community

Illustrative materials:

- Adam Frankel, “Do You See How Much I’m Suffering Here?” *Abuse against Transgender Women in US Immigration Detention*, HUMAN RIGHTS WATCH (Mar. 23, 2016) <https://www.hrw.org/report/2016/03/23/do-you-see-how-much-im-suffering-here/abuse-against-transgender-women-usus>.
- Diane E. Elze, *The Lives of Lesbian, Gay, Bisexual, and Transgender People: A Trauma-Informed and Human Rights Perspective*, TRAUMA AND HUMAN RIGHTS (L. D. Butler, F. M. Critelli & J. Carello eds, 2019) https://link.springer.com/chapter/10.1007/978-3-030-16395-2_8.

Human Rights: Retraumatization

Illustrative materials:

- Helgi Maki, *Introduction: Legal Practice and Trauma*, TRAUMA-INFORMED LAW (Helgi Maki et al. eds. 2023).

- Human Rights Watch, *Guidelines for Interviewing Survivors of Trauma and Conducting Research on Sexual Violence* (2016), <https://www.hrw.org/report/2016/03/31/guidelines-interviewing-survivors-trauma-and-conducting-research-sexual-violence>.
- Threa Almontaser, *And That Fast, You're Thinking About Their Bodies*, THE WILD FOX OF YEMEN (Graywolf Press, 2021).

Human Rights: Vicarious Trauma

Illustrative materials:

- Simone Cruz & Jelena Dordevic, *Protection, Self-Care, and the Safety of Human Rights Defenders*, 30 Sur Int'l J. on Hum. Rts. (2020).
- Alice Nah, *Wellbeing, Risk, and Human Rights Practice*, 1 Hum. Rts. Defender Hub Pol'y Brief (Jan. 2017).
- Elise Baker et al., *Safer Viewing: A Study of Secondary Trauma Mitigation Techniques in Open Source Investigations*, 22 Health & Hum. Rts. J. 293 (2020).

International Law: International Criminal Investigations

Illustrative materials:

- *The Trauma Expert*, INTERNATIONAL CRIMINAL COURT (last accessed Jan. 24, 2026) <https://www.icc-cpi.int/get-involved/justice-at-work/story/the-trauma-expert>; Laura Nacyte, *Trauma-Misinformed Justice at the International Criminal Court*, IntLawGrrls (Mar. 3, 2020) <https://ilg2.blog/2020/03/03/trauma-misinformed-justice-at-the-international-criminal-court/>.
- Laura Nacyte, *Trauma-Misinformed Justice at the International Criminal Court*, IntLawGrrls (Mar. 3, 2020) <https://ilg2.blog/2020/03/03/trauma-misinformed-justice-at-the-international-criminal-court/>.

Immigration Law: Resilience

Illustrative materials:

- Allison Detzel, A 'prison for children': Lawyer describes harrowing conditions at Texas ICE facility (Feb.18,2026) <https://www.ms.now/news/dilley-texas-ice-center-conditions-children-trump-immigration>.

- Elora Mukherjee, *Liam Ramos Was Just One of Hundreds of Children at This Detention Center. Release Them All*, (Feb 1, 2026) <https://www.nytimes.com/2026/02/01/opinion/liam-ramos-ice-detention.html>.
- Pilar Hernández, David Gangsei & David Engstrom, *Vicarious Resilience: A New Concept in Work with Those Who Survive Trauma, Family Process* (June 2007).
- Angela Lindsay & Hillary Mellinger, *Asylum Attorney Burnout and Secondary Trauma*, 56 WAKE FOREST L. REV. 733, 801 (2021).

Building a Trauma-Informed Legal Practice: Theory of change

Illustrative materials:

- British Columbia Law Institute, *Guide to Trauma-Informed Legal Writing*, (February 2025) <https://www.bcli.org/wp-content/uploads/TILWG-Final.pdf>.
- Howard Pinderhughes, *Adverse Community Experiences and Resilience: A Framework for Addressing and Preventing Community Trauma*, PREVENTION INSTITUTE (2015).

Building a Trauma-Informed Legal Practice: Key Principles and Strategies

Illustrative materials:

- *Trauma-Informed Toolkit for Legal Professionals*, GOLDEN EAGLE RISING SOCIETY (last accessed Jan. 24, 2026) <https://www.goldeneaglerising.org/initiatives-and-actions/trauma-informed-toolkit-for-legal-professionals/>.
- Lorilei Williams, *An Antiracist Approach to Trauma-Informed Lawyering*, SHRIVER CENTER ON POVERTY LAW (Jun. 29, 2021) <https://www.povertylaw.org/article/trauma-informed-lawyering/>.

