

eliminating racism
empowering women
ywca

Legal Aid Society
of Middle Tennessee and the Cumberland

nashville & middle tennessee

DV 101 for Service Providers

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Domestic Violence 101

Introduction to the YWCA

- **Served the Nashville community for 115 years**
- **Mission focus is eliminating racism and empowering women**
- **Programs include: Adult Education, Youth Services, Transitional Housing, Domestic Violence and Support Groups**

what is domestic violence?

- **Domestic violence is any pattern of behaviors that attempts to control an intimate partner, or family member, through the use of fear, manipulation, coercion, isolation, verbal abuse, sexual abuse, or physical abuse.**
- **Domestic violence starts out slowly and increases over time.**
- **The sole purpose is power and control**

what are the warning signs?

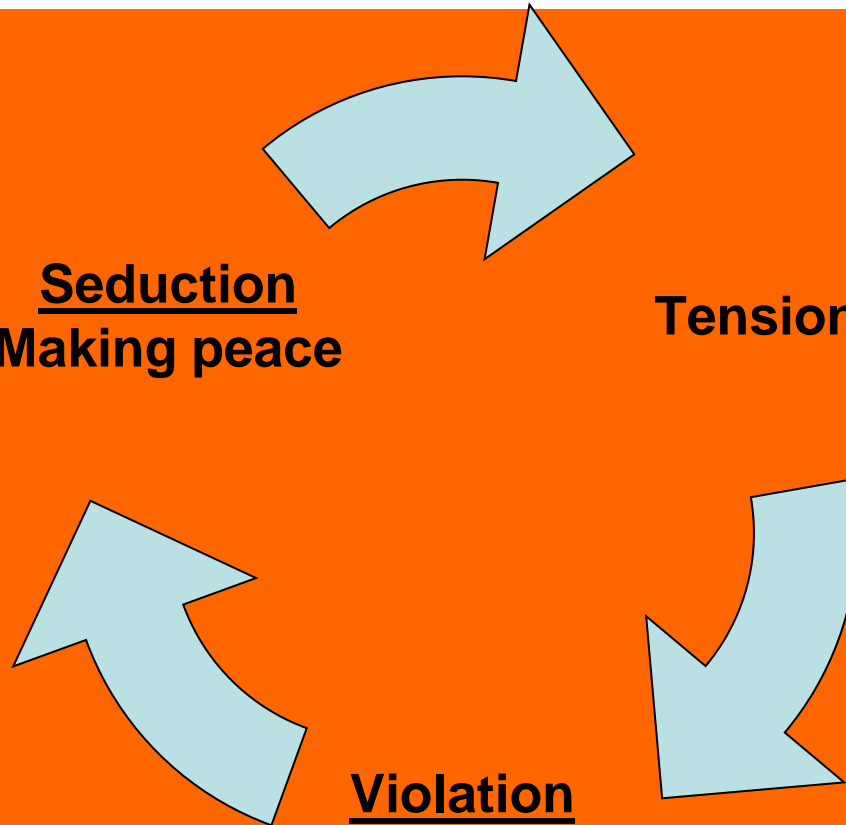
- **Control**
- **Quick, intense involvement**
- **Extreme jealousy**
- **Isolation**
- **Blaming others**
- **Animal abuse**

the cycle of violence

Seduction
Making peace

Tension

Violation
Explosion



myths and misconceptions

- **Domestic violence is not very common or serious.**
- **Domestic violence is prevalent only in low income families.**
- **Domestic violence is a personal, family problem.**
- **Women provoke their partner's violence.**

myths and misconceptions

- **Alcohol and drug use cause domestic violence.**
- **Anger causes domestic violence.**
- **Being abused as a child causes one to always be a victim.**
- **Only heterosexual women are battered.**

Why do victims stay?

- Leaving is a process
- May love their batterer
- Hope therapy will help
- Believe the batterer will change
- Financial reasons
- For the children
- To keep others safe

how can I help?

- **Believe her. Listen carefully and remain non-judgmental.**
- **Offer supportive statements and encourage her in talking about her situation.**
- **Avoid WHY questions.**
- **Never give advice. Discuss options.**
- **Make sure she has a safety plan.**

how can I help?

- **Call the YWCA crisis line at 242-1199**
- **Get involved with the YWCA
(volunteer your time or resources)**
- **Call the YWCA crisis line to get
support on how to talk to a friend or
family member regarding safety
planning**

there is hope

- Know the facts
- Know the resources
- Call the **YWCA** at 242-1199
or
1(800) 334-4628

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Trauma Informed Care

Neurological Impact

- **The effects of experiencing abuse over time affect our clients in profound ways.**
- **They are affected not only in emotional and psychological ways but extended trauma over time can cause changes in the neurological structure of their brains.**

Three parts of the brain:

- **Brain 1: in the center, referred to as the reptilian part of the brain**
- **Brain 2: wrapped around brain 1, limbic system**
- **Brain 3: is the outside surface of the brain, the cerebral cortex**

Important components

- Hippocampus - resides deep inside the brain and has knobs at the end called the amygdala.
- The hippocampus makes new memories, without it we would not be who we are.
- The amygdala is the part of the brain that mediates emotional content.

Important components

- **The amygdala is the part of the brain that mediates emotional content.**
- **The amygdala lets us know if we are safe? Happy? Need to be stressed?**
- **It checks in with the hippocampus for memories to reference in order to know how to respond.**

Trauma Response

- **The amygdala reacts, ‘fight, flight, or freeze’ – ‘the hot part of the brain’**
- **The hippocampus attempts to bring us back to homeostasis – ‘the cool part of the brain’**

What does this mean for us?

- **If the brain experiences long term or repetitive trauma it because physically injured because the amygdala stays in 'alert' state. In simple terms it can get 'stuck' with the hippocampus unable to 'cool' it down.**

Effects of long-term trauma

- Their memories are impaired, short-term memory loss
- They can't find the words to express their thoughts
- Their emotional responses are sometimes disproportionate
- They are untrusting – relying solely on themselves
- They may always be frightened no matter what you do to help them

If we are informed of why they are doing what they are doing then we can better understand and serve them.

Trauma informed response

- **Minimize power differentials**
- **Mutual respect and accountability**
- **Shared learning**
- **Engage survivors with a non-judgmental attitude**
- **Persuasion rather than coercion**
- **Ideas rather than force**
- **Mutuality rather than authoritarian control**

Legal Aid Society

of Middle Tennessee and the Cumberlandands

Basic Legal Aspects of Interviewing and Representing Victims of Domestic Violence

- ***The American Bar Association adopts Standards of Practice on various areas of law to address critical issues, and to set national guidelines and standards for the legal community.***

Overview of Procedures

- **Office Intake**
- **Basic Obligations**
- **Pre-hearing Responsibilities**
- **Hearings**
- **Post-Hearing Responsibilities**

Office Intake Procedures

- Intake for victims should be conducted by personnel trained to work sensitively with the clients.

Intake should include, at a minimum,

- a conflict check,
- a safety and lethality assessment, and
- identification of any accommodations required by the client.

Lethality Assessment

- *The attempt to identify the circumstances when a batterer is most dangerous by evaluating the batterer's beliefs and patterns of violence, coercion and control.*

Lethality Indicators

- Threats/Fantasies of suicide or homicide
- Weapons owned by the perpetrator
- Feelings of ownership of the woman
- “Centrality” of the woman
- Separation from the woman
- Dangerous behavior increases in degree
- Repeated calls to the police.

Safety Planning

Systematically looking at what is happening around a battered woman, and what her options are. It is a tool devised to give her a specific plan to use in times when violence begins to escalate or erupt.

Also used to help a battered woman leave and remain safe.

Basic Obligations

- Obtain an interpreter
- Create and maintain trust
- Document every aspect of the case as it progresses
- Counsel Client about her goals and desires
- Explain the Court system and the process (including criminal implications)
- Explain the client's relevant remedies (both legal and social)

Pre-Hearing Responsibilities

- Identify the case strategy, theory and evidence
- Identify potential related legal issues and consequences
- Timely file all pleadings and advance all relevant legal arguments
- Carefully consider temporary visitation for the children and whether they should testify
- Consider the client's privacy concerns

Pre-Hearing Responsibilities

- Consider how a pro se respondent may affect the case progression
- Ensure the Court's Order addresses all the client's needs
- Be cognizant of the client's rights in other forums, e.g., immigration or tribal courts
- Learn the judge and the court you will be practicing in front of

Hearing

- **Participate actively in all court proceedings**
- **Protect the record for appeal**
- **Ensure the courtroom is safe for you and your client.**
- **Only negotiate a settlement when it is in your client's best interest (mutual restraining orders)**

Post Hearing Responsibilities

- **Seek to ensure that the order is clear and accurate and that the client understands it**
- **Ensure the respondent is served and that client knows how to violate the respondent**
- **Discuss with the client the process for appeal, rehearing and/or modification**
- **Communicate with the client regarding withdrawal**

Q & A

Thank you!